University of Western Australia Statute

SENATE APPROVED – 10 AUGUST 2020[1]

This Statute is made by the Senate of the University of Western Australia, as the governing authority of the University of Western Australia, under Part 7 of the *University of Western Australia Act 1911.*

[1] Note: Refer to the Version History at the end of this document for subsequent amendment and commencement information.

Contents

Chapter 1 — Preliminary **5**
1. Short title 5
2. Authorisation 5
3. Commencement 5
4. Application 5
5. Interpretation 5
6. Terms used 5

Chapter 2 — Senate **7**
7. Election of Senate members 7
8. Senate meetings 7
9. Senate review of performance 7

Chapter 3 — Chancellor, Pro-Chancellor and Vice-Chancellor **8**
10. Chancellor and Pro-Chancellor 8
11. Appointment of the Vice-Chancellor 8
12. Functions of the Vice-Chancellor 8
13. Acting Vice-Chancellor 8

Chapter 4 — Convocation **9**
14. Terms used 9
15. Members' Roll 10
16. Access to the Members' Roll 11
17. Contacting Members 11
18. Convocation Officer 11
19. Functions of Convocation 11
20. Considering draft Statutes 12
21. Autumn and Spring General Meetings 13
22. Special General Meetings 13
23. General Meetings: notice and quorum 13
24. Procedure at General Meetings 14
25. Warden's functions 14
26. Warden unable to act 14
27. Election of Warden and term of office 15
28. Alumni Council established 15
29. Deputy Warden 15
30. Co-opted members 16
31. Elected members 16
32. Functions of Council 17
33. Meetings of the Council 18
34. Committees 19
35. Delegations by Council and Warden 19
36. Financial year and audited statements 20
37. Convocation's funds 20
38. Amounts to be credited to Convocation's funds 20
39. Expenditure from Convocation's funds 20
40. Members not to be paid 21
41. University assistance to Convocation 21

42. Annual report of activities 21
43. Elections conducted by Convocation 21
44. Returning officer and electors' roll 21
45. Alternative voting processes 22
46. Eligibility for election 23
47. Elections that Convocation itself must conduct 23
48. Nomination for election and procedure after nomination 23
49. Polling day and voting 25
50. Scrutiny and count of votes 26
51. Ascertaining result of election 27
52. Declaration and taking effect of election 29
53. Simultaneous elections 29
54. Elections of Elected members if conducted by the Council 29

Chapter 5 — Student Guild 31

55. Terms used 31
56. Objects and powers 31
57. Not for profit 32
58. Student Guild Regulations 32
59. Membership 32
60. Guild Council 33
61. Amenities and Services Fee 33
62. Payment of proportion of Amenities and Services Fee to Student Guild 33
63. Use of the Amenities and Services Fee 33
64. Finance and reporting 34
65. Common Seal of the Student Guild 34

Chapter 6 — Academic Board 35

66. Academic Board established 35
67. Powers of the Academic Board 35
68. Constitution 35
69. Academic Board Regulations 35
70. Delegation 35

Chapter 7 — Faculties 36

73. Faculty governance 36
74. Functions 36
75. Membership 36
76. Faculty delegation 37
77. Faculty Board meetings 37

Chapter 8 — Admission, Enrolment, Scholarships & Prizes 38

78. Admission and Enrolment 38
79. Scholarships and prizes 38

Chapter 9 — Awards, Honorary Degrees and Titles 39

80. Conferral of Awards 39
81. Honorary degrees 39
82. Register of graduates 39
83. Revocation of Awards 40
84. Titles 40

Chapter 10 — Student conduct and discipline **41**
85. Student conduct 41
86. Penalties for misconduct 41
87. Board of Discipline 41
88. Powers regarding misconduct 41
Chapter 11 — Affiliation **42**
89. Affiliation 42
Chapter 12 — Common Seal of the University **43**
90. Custody of the common seal 43
91. Use of the common seal 43
92. Register of use of common seal 43
Chapter 13 — General provisions **44**
93. Making, amending and promulgating Regulations 44
94. Repeal of Statutes 44
95. Repeal of Regulations 45
Chapter 14 — Transitional provisions **46**
96. Terms used 46
97. Continuity of Convocation Council and Alumni Council 46
98. Membership of Council 46
99. Deputy Warden 46

Chapter 1 — Preliminary

1. Short title

This Statute may be cited as the University of Western Australia Statute.

2. Authorisation

This Statute is made under the *University of Western Australia Act 1911* Part 7.

3. Commencement

This Statute will commence when it has been approved by the Governor and published in the Government Gazette in accordance with section 33 of the *University of Western Australia Act 1911*.

Note: Refer to the Version History at the end of this document for commencement information.

4. Application

(1) Subject to the Act this Statute applies to —

(a) all members of the University Community; and

(b) all persons entering, or on, land or other property owned or occupied by the University; and

(c) all persons using University facilities.

5. Interpretation

(1) This Statute must be interpreted in accordance with any relevant provision of the *Interpretation Act 1984* (WA) unless the contrary intention appears.

(2) Without limiting clause 5(1), a term used in this Statute that is given a meaning or effect by the *Interpretation Act 1984* (WA) has the same meaning or effect in this Statute unless the contrary intention appears.

6. Terms used

Note: The following terms are defined in the *University of Western Australia Act 1911*:

(a) Casual vacancy
(b) Convocation
(c) Regulations
(d) residential accommodation
(e) Senate
(f) Statutes
(g) student
(h) Student Guild
(i) University
(j) University lands

In this Statute, unless the contrary intention appears —

Academic Board means the board established by clause 66;

Act means the *University of Western Australia Act 1911* (WA);

Award means —

(a) a degree, diploma or certificate granted by the Senate; or

(b) an honorary degree or other distinction approved by the Senate;

Ballot Period means the period during which persons may vote at an election;

By-law means a by-law made under Section 16A;

Centre means an organisational unit approved as a centre by the Senate;

course means a plan of study that a Student must successfully undertake before qualifying for an Award;

Faculty means an academic organisational unit approved by the Senate, however designated by the Senate including as a school;

Faculty Board means the body referred to in clause 73(2);

Head of Faculty means the person appointed to be the head of a faculty, whether they have the title "dean", or some other title approved by the Senate;

Institute means an organisational unit approved as an institute by the Senate;

Misconduct means a breach of the University's student conduct standards as defined in Chapter 10 and the Regulations;

Regulation means Regulations made by the Senate under Section 16E;

School means an academic organisational unit approved as a school by the Senate;

Staff means an individual employed by the University;

Section means a section of the Act;

Student means a person enrolled in the University as a student, including a person enrolled in an Award course of the University, whether in Perth or elsewhere, or enrolled through University extension as a continuing education student in units offered within Award courses of the University;

Student Guild means the Student Guild referred to in Section 28(1);

University Community means members of Senate, members of Convocation, Staff, Students, and holders of honorary, emeritus, visiting, adjunct or clinical appointments;

University Executive, means officers of the University so designated by the Senate to advise and be responsible to the Senate;

University Legislation means the Act, Statutes, By-laws, Regulations, rules and policies;

University Working Day means any day other than a —

(a) Saturday;

(b) Sunday;

(c) day specified in the University calendar as a University holiday; and

(d) the University's annual shut-down period as determined by the University Executive each year.

Chapter 2 — Senate

Note: The *University of Western Australia Act 1911* includes provisions regarding the following matters relevant to this Chapter:

(a) Senate as the governing authority of the University and the powers of the Senate
(b) Senate membership, terms of members, resignation and vacancies of office
(c) Chair and quorum for meetings of Senate
(d) Senate Nominations Committee
(e) Delegation by Senate
(f) Duties of Senate members and disclosure of interests
(g) Remuneration and allowances for Senate members
(h) Relief of Senate members from liability

7. Election of Senate members

(1) The election of the Chancellor and Pro-Chancellor pursuant to Sections 12 and 12A respectively, is to be conducted in accordance with the Senate Regulations.

(2) The election of Staff of the University to the Senate pursuant to Sections 8(1)(b) and 8(1)(c) is to be conducted in accordance with the Senate Regulations.

(3) The election of Students to the Senate pursuant to Section 8(1)(g) is to be conducted in accordance with the Student Guild Regulations.

(4) The election of members of Convocation to the Senate pursuant to Section 8(1)(h) is to be conducted in accordance with clauses 43, 44 and 45.

(5) A Staff member or Student who commits a fraudulent act in respect of elections to the Senate governed by the Act, this Statute or the Regulations may be subject to disciplinary action by the University in accordance with —

(a) the University Legislation; and

(b) if the person is a member of Staff, the agreement under which they are employed.

8. Senate meetings

(1) The Senate must meet at least six times each year, in accordance with the Regulations.

(2) Senate meetings must be called and conducted in accordance with the Regulations and the Standing Orders of the Senate.

9. Senate review of performance

(1) On a regular basis, at least once each two years, the Senate should review and assess its own performance and that of its committees.

(2) The Chancellor is responsible for organising the assessment process, and may draw on external resources

Chapter 3 — Chancellor, Pro-Chancellor and Vice-Chancellor

Note: The *University of Western Australia Act 1911* includes provisions regarding the following matters relevant to this Chapter:

(a) Election of the Chancellor and Pro-Chancellor, and eligibility for re-appointment

(b) People disqualified from being Chancellor or Pro-Chancellor

(c) Maximum initial term and consecutive term of office of Chancellor and Pro-Chancellor

(d) Chairing of Senate meetings

(e) Vice-Chancellor's powers, duties and authority to delegate

(f) Use of title by the Vice-Chancellor

10. Chancellor and Pro-Chancellor

(1) Unless otherwise specified or determined by Senate the Chancellor is an ex-officio standing member of all University faculties and committees. The Chancellor does not exercise any executive function in the management or administration of the University.

(2) In the absence of the Pro-Chancellor, the Senate may nominate a member of the Senate to act as Pro-Chancellor.

11. Appointment of the Vice-Chancellor

(1) The Senate must appoint a Vice-Chancellor, who is also the President and chief executive officer of the University, for such term and on such conditions as determined by the Senate.

(2) The Senate may set performance measures for the Vice-Chancellor and may monitor the performance of the Vice-Chancellor against those measures.

(3) The Vice-Chancellor may be re-appointed.

12. Functions of the Vice-Chancellor

(1) Subject to the Acts, Statutes and Regulations and to any resolutions of the Senate, the Vice-Chancellor is responsible for —

(a) promoting the interests and furthering the development of the University;

(b) the overall academic, administrative, financial and other business of the University; and

(c) exercising a general supervision over the Staff and Students of the University.

(2) The Vice-Chancellor is an ex-officio member of —

(a) all Senate committees and boards except the Audit and Risk Committee and the Senate Nominations Committee;

(b) the Academic Board and its committees and boards; and

(c) all Faculties, the Faculty Board of each Faculty and the associated standing committees of the Faculty Board of each Faculty.

13. Acting Vice-Chancellor

(1) In the Vice-Chancellor's absence, the Vice-Chancellor must appoint (or if circumstances prevent the Vice-Chancellor making such an appointment, the Senate must appoint) another member of the University Executive as acting Vice-Chancellor.

Chapter 4 — Convocation

14. Terms used

In this Chapter, unless the contrary intention appears —

Autumn General Meeting means a General Meeting of Convocation held under clause 21(1)(a);

Calendar Year means a year ending on 31 December;

Chair, at a General Meeting, means the person who, under Section 24, is to preside as the Chair of the meeting;

Contact Details, of an individual, means —

(a) their postal address; and

(b) their Electronic Address; and

(c) their telephone number; and

(d) any other information about them of a kind determined by the Council;

Convocation Officer means the Convocation Officer appointed under clause 18;

Co-opted member means a Council member appointed by the Council under clause 30(1);

Council means the Alumni Council established by clause 28;

Council Meeting means a meeting of the Alumni Council held under clause 33;

Council member means a member of the Alumni Council;

Deputy Warden means the Deputy Warden of Convocation elected under clause 29(2);

Elected member means a Council member elected by the Members under clauses 47 to 53 or by the Council under clause 54;

Electronic Address means an email address, mobile telephone number or other means for receiving digital or Electronic Communication;

Electronic Communication means a communication in a digital or electronic format determined by the Council;

Fund includes account;

General Meeting means a Regular General Meeting of Convocation or a Special General Meeting of Convocation;

Member means an individual who is on the Members' Roll;

Member Cohort means any of the following —

(a) those Members who have been Members for not more than 10 years;

(b) those members who have been Members for more than 10 years but not more than 20 years;

(c) those members who have been Members for more than 20 years but not more than 40 years;

(d) those members who have been Members for more than 40 years;

Members' Roll means the roll kept under Section 17(2);

Periodic Election has the meaning given by clause 47(2);

Regular General Meeting means an Autumn General Meeting or Spring General Meeting of Convocation;

Roll Keeper means the individual —

(a) who, under Section 17(2), is required by the Senate to keep the Members' Roll; or

(b) to whom the Senate under Section 16G, has delegated its duty, under Section 17(2), to keep the Members' Roll;

Special General Meeting means a General Meeting of Convocation held under clause 22;

Spring General Meeting means a General Meeting of Convocation held under clause 21(1)(b);

Standing Orders means Standing Orders made under clause 32(4);

Warden means the Warden of Convocation elected under Section 18.

15. Members' Roll

(1) The Members' Roll must contain as much of the following information about each Member as possible —

(a) full name;

(b) date of birth;

(c) gender;

(d) whether deceased and, if so, date or Calendar Year of death;

(e) how, and in which Calendar Year, the person became a Member;

(f) any Award of the University;

(g) any degree, diploma, certificate, honorary degree, prize or other distinction granted by any other tertiary institution;

(h) any honour, award or other distinction granted or conferred by a Government or other public body, whether in Australia or elsewhere; and

(i) Contact Details.

(2) Clause 15(1) does not limit the information that may be kept on the Members' Roll about a Member.

(3) Clause 15(1) and 15(2) have effect subject to the Senate's legal obligations (including in relation to the privacy of personal information of the people listed in Section 17(1)).

(4) A Member may request the Roll Keeper to record on the Member's Roll that the Member does not want to be contacted —

(a) by Convocation; or

(b) by the University; or

(c) by either Convocation or the University.

(5) If —

(a) mail addressed to a Member at a postal address recorded on the Members' Roll is returned undelivered; or

(b) on not less than two consecutive occasions, Convocation receives no response from a Member to mail addressed to that Member at a postal address recorded on the Members' Roll,

the Convocation Officer may remove that postal address from the Members' Roll.

(6) Clause 15(5)(b) does not apply to mail addressed to a postal address unless the mail sets out, or explains the effect of, clause 15(5).

(7) If, on not less than two consecutive occasions, Electronic Communications addressed to a Member at an Electronic Address recorded on the Members' Roll appear to have failed, the Convocation Officer may remove that Electronic Address from the Members' Roll.

16. Access to the Members' Roll

(1) The Council is entitled to have access to the Members' Roll.

(2) If under clause 16(1) the Council wants access to the information on the Members' Roll or to any part of it, the Council must ask the Roll Keeper and specify the information the Council wants and the digital or electronic format in which the information is wanted.

(3) On receiving a request made under clause 16(2), the Roll Keeper must, if practicable and as soon as practicable, give the Council the information requested in the digital or electronic format requested.

(4) Clause 16(1), 16(2) and 16(3) have effect subject to the Senate's legal obligations (including in relation to the privacy of personal information of the people listed in Section 17(1)).

17. Contacting Members

(1) To give a Member notice of any matter the Council must, if a postal address or Electronic Address is recorded for the Member in the Members' Roll, give the Member a written notice.

(2) A written notice may be separate from, or included in, other material sent to the Member.

(3) A written notice is taken to have been given to a Member if it was sent to a postal address or Electronic Address recorded for the Member in the Members' Roll.

(4) This clause does not prevent the Council from publishing a written notice on the Convocation website, but doing so does not amount to giving Members written notice of a matter.

18. Convocation Officer

(1) The Vice-Chancellor must appoint a Member of the staff of the University endorsed by the Warden to the position of Convocation Officer.

(2) The Convocation Officer has the functions conferred on the Convocation Officer under this Statute.

(3) The Vice-Chancellor, the Warden and the Council may determine other functions that are to be performed by the Convocation Officer.

19. Functions of Convocation

Convocation has these functions —

(a) to support and promote professional and social interaction and links between its Members and between its Members and the rest of the University Community;

(b) to facilitate communication between its Members and the rest of the University Community and, in particular, the communication —

(i) of the interests and opinions of its Members about matters affecting the University to the rest of the University Community; and

(ii) by the rest of the University Community to Convocation of matters affecting the University and matters of relevance to Convocation's other functions;

(c) to encourage its Members to contribute to and support the intellectual, cultural and financial prosperity of the University;

(d) to provide scholarships and other financial and non-financial support to students;

(e) to enable the governance of the University by the Senate by:

(i) the election of the Warden under Section 18; and

(ii) the election of Members of the Senate under Section 8(1)(h); and

(iii) considering draft proposed Statutes under Section 31(2);

(f) to give formal recognition to Members who make significant contributions to the University Community;

(g) to raise money for the purposes of the performance of its functions.

20. Considering draft Statutes

(1) In this clause —

Response Period means the period mentioned in Section 31(2).

(2) When, under Section 31(2), the Senate refers a draft proposed Statute to Convocation, the Warden, as soon as practicable, must decide either —

(a) that the functions of Convocation under Section 31(2) and 31(3) in relation to the draft will be performed by the Council; or

(b) to refer the draft to a General Meeting for the performance of those functions.

(3) If the Warden decides to refer the draft to a General Meeting and considers that the matter cannot be dealt with at a Regular General Meeting earlier than four days before the end of the Response Period, or that it is not convenient for the matter to be dealt with at a Regular General Meeting —

(a) the Warden must call a Special General Meeting under clause 22; and

(b) that meeting must be held not less than five days before the end of the Response Period.

(4) The Council must, to the extent necessary and practicable, seek the views of Members with respect to each draft proposed Statute referred to Convocation.

(5) If a draft proposed Statute is referred to a General Meeting under clause 20(2)(b), the Council, having taken into account views obtained under clause 20(4), must submit a recommendation to the General Meeting —

(a) that the proposed Statute be accepted as submitted; or

(b) that the proposed Statute be amended or additional provisions be included, in which case the Council must present its amendments or additions for consideration.

(6) The agenda of the General Meeting to which a draft proposed Statute is referred must include either—

(a) the text of the draft; or

(b) despite clause 17(4), instructions as to where a Member can obtain access to it electronically or as to how a Member can request a copy of it.

(7) If it is practicable, the Council's proposed recommendation under clause 20(5) must be included in the agenda of the General Meeting. If it is impracticable to include that proposed recommendation in the agenda, notice of the proposed recommendation must be given by any means accessible to Members that the Warden thinks fit as early as is practicable before the meeting.

(8) At a General Meeting that is considering a draft proposed Statute —

(a) a motion to amend the draft or add provisions to it cannot be considered unless notice of the motion was given to the Warden or Deputy Warden at least six days before the date of the meeting; and

(b) a motion to amend the draft or add provisions to it requires the support of at least two thirds of the votes cast at the meeting to pass; and

(c) the Chair may declare as irrelevant the whole or part of a motion to amend the draft or add provisions to it; and

(d) a motion to overrule a declaration made under clause 20(8)(c) requires the support of at least two thirds of the votes cast at the meeting to pass.

(9) If, under Section 31(3)(a), Convocation returns a draft proposed Statute to the Senate with draft amendments or additional provisions, it may also give the Senate written reasons for the draft amendments or additional provisions.

21. Autumn and Spring General Meetings

(1) Convocation must hold —

(a) a General Meeting in March in each Calendar Year (known as the ***Autumn General Meeting***); and

(b) a General Meeting in September in each Calendar Year (known as the ***Spring General Meeting***).

(2) A General Meeting is to be held on a day determined by the Warden.

(3) The day determined under clause 21(2) for the Autumn General Meeting cannot be earlier than —

(a) seven University Working Days after the polling day determined under clause 49(2) for Periodic Elections in March; or

(b) if no poll for a Periodic Election is required in March: the second Friday in March.

(4) The day determined under clause 21(2) for the Spring General Meeting cannot be earlier than the second Friday in September.

(5) The Warden must determine the time and place at which a Regular General Meeting will be held.

22. Special General Meetings

(1) The Warden may call a Special General Meeting of Convocation at any time.

(2) The Warden must call a Special General Meeting of Convocation if the Warden receives a written request to do so that —

(a) is signed by at least 50 Members each of whom is identified by their name and address; and

(b) states the purpose of the meeting.

(3) The Warden must call a Special General Meeting of Convocation if obliged to do so by clause 20(3)(a).

(4) The Warden must determine the day on which, and the time and place at which, a Special General Meeting will be held.

(5) A Special General Meeting requested under clause 22(2) must be held within 28 University Working Days after the date on which the request is received.

23. General Meetings: notice and quorum

(1) The Council must give Members written notice of a General Meeting at least 15 University Working Days before the date of the meeting and in accordance with clause 17.

(2) Notice of a General Meeting may also be given by any additional means accessible to Members as determined by the Warden.

(3) Notice of a General Meeting must state —

(a) whether the meeting is a Regular General Meeting or a Special General Meeting; and

(b) the day, time and place of the meeting; and

(c) the agenda for the meeting.

(4) In the case of a Regular General Meeting, if the quorum required by Section 25 is not present within 30 minutes after the time when the meeting was to start —

(a) the meeting is to stand adjourned for a period of no less than 10, nor more than 15, University Working Days fixed by the Warden before being re-convened, and notice of that adjournment and the day, time and place of the re-convened meeting must be given by the Convocation Officer by:

(i) written notice in accordance with clause 17; and

(ii) any additional means accessible to Members as determined by the Warden; and

(b) if at the adjourned meeting the quorum required by Section 25 is not present within 30 minutes after the time when the meeting was to start, the procedure in clause 23(4)(a) is to be repeated until a quorum is obtained for the meeting; and

(c) if consideration of a draft proposed statute is on the agenda of the meeting and the meeting cannot be reconvened to a date at least five days before the end of the period mentioned in Section 31(2), the functions of Convocation under Section 31(2) and 31(3) in relation to the draft must be performed by the Council.

(5) In the case of a Special General Meeting, if the quorum required by Section 25 is not present within 30 minutes after the time when the meeting was to start, the meeting is taken to be abandoned and, if the meeting was called to consider a draft proposed Statute, the functions of Convocation under Section 31(2) and 31(3) in relation to the draft must be performed by the Council.

24. Procedure at General Meetings

(1) At a General Meeting, every Member present has one vote.

(2) Subject to clause 20(8)(b) and (d) and clause 39(2)(b), decisions at a General Meeting must be made by a majority of Members' votes cast at the meeting.

(3) If the votes cast at a General Meeting are equal, the Chair has a casting vote.

(4) The Chair must ensure that a General Meeting is minuted by the Convocation Officer, if present, or by another person chosen by the Chair.

(5) Subject to the Act and this clause, General Meetings are to be conducted in accordance with the Standing Orders.

(6) Without limiting clause 24(5), the Standing Orders may provide for holding, attending and participating in General Meetings using Electronic Communication.

(7) Any procedural question arising at a General Meeting is to be decided by the Chair.

25. Warden's functions

(1) The Warden has the functions conferred on the Warden by the Act and this Chapter.

(2) Additional functions may be conferred on the Warden by Convocation or the Council.

26. Warden unable to act

(1) If the Warden is unable to perform the functions of the Warden for any reason, or the office of Warden is vacant, the Deputy Warden may perform the functions of the Warden.

(2) When clause 26(1) has effect, the Deputy Warden may use the title Acting Warden and, if appropriate in the context, a reference to the Warden in this Statute or the Standing Orders is a reference to the Acting Warden.

27. Election of Warden and term of office

(1) The election of the Warden under Section 18 is to be held and conducted in accordance with clauses 47 to 53.

(2) The term of office of the Warden when elected under Section 18 ends on the day of the next Autumn General Meeting after the election takes effect.

(3) There is a ***casual vacancy*** in the office of the Warden if the Warden —

(a) resigns under Section 18(3); or

(b) becomes a person who would be ineligible under clause 46(2)(a) to (d) to be elected as the Warden; or

(c) dies.

(4) If the Warden resigns, the Chancellor must advise the Council as soon as practicable.

(5) Subject to clause 47(3), after a casual vacancy occurs in the office of the Warden it is to be filled by the election of a Member by Convocation in accordance with clauses 47 to 53 until the day of the next Autumn General Meeting after the election takes effect.

28. Alumni Council established

(1) A body called the Alumni Council, that is to be Convocation's governing body, is established as a committee of Convocation.

(2) The Council consists of the following members —

(a) the Warden, ex officio;

(b) members of the Senate elected under Section 8(1)(h), ex officio;

(c) six Elected members (including the one who is the Deputy Warden);

(d) subject to clause 28(3), the Chief Advancement Officer of the University, ex officio;

(e) not more than four Co-opted members.

(3) The Vice-Chancellor may determine that the office of member under clause 28(2)(d) is to be held, ex officio, by the holder of an office on the University staff (including the office of Vice-Chancellor) other than the office of Chief Advancement Officer.

(4) The Council must use its powers under clauses 30, 48(3) and 54(5) to ensure, to the best of its ability, that the membership of the Council includes people from each of the four Member Cohorts.

(5) Chapter 14 has transitional provisions relating to the establishment and membership of the Council and other matters.

29. Deputy Warden

(1) There is to be a Deputy Warden of Convocation.

(2) The office of Deputy Warden is to be held by an Elected member elected to the office by the Council at an election conducted in accordance with the Standing Orders.

(3) The term of office of the Deputy Warden ends on the day of the next Autumn General Meeting after their election.

(4) The Deputy Warden may resign from the office of Deputy Warden by giving written notice to the Warden and the resignation takes effect on the date on which the notice is received, unless it specifies a later date.

(5) The office of Deputy Warden becomes vacant if the Deputy Warden —

(a) comes to the end of their term of office under clause 29(3); or

(b) resigns under clause 29(4); or

(c) ceases to be an Elected member; or

(d) dies.

(6) The Council is to conduct an election under clause 29(2) whenever the office of Deputy Warden becomes vacant.

30. Co-opted members

(1) The Council may appoint as a Co-opted member of the Council any Member who would not be ineligible under clause 46(2)(a) to (d) to be elected as an Elected member.

(2) An appointment under clause 30(1) is for a term of office, not exceeding three years, specified by the Council.

(3) The term of office specified under clause 30(2) must not result in the period for which the Member serves continuously as a Council member in any one or more capacities being in excess of nine years.

(4) An appointment under clause 30(1) is to be made in accordance with the Standing Orders and notice of the appointment is to be given in accordance with the Standing Orders.

(5) A Co-opted member may resign from office by giving written notice to the Warden and the resignation takes effect on the date on which the notice is received, unless it specifies a later date.

(6) The office of a Co-opted member becomes vacant if the Co-opted member —

(a) is absent, without the Council's leave, from three consecutive meetings of the Council of which the Co-opted member has received notice; or

(b) comes to the end of their term of office under clause 30(2); or

(c) resigns under clause 30(5); or

(d) becomes a person who would be ineligible under clause 46(2)(a) to (e) to be elected as an Elected Member; or

(e) dies.

31. Elected members

(1) Vacancies occurring by the expiry of the terms of office of Elected members are to be filled by the election of Members —

(a) by Convocation in accordance with clauses 47 to 53; or

(b) if item 15 or 16 of the Table in clause 48(12) applies — by the Council in accordance with clause 54 at the Council Meeting next following the next Autumn General Meeting.

(2) Clause 31(1) does not apply to the expiry of the term of office of an Elected member who was elected under clause 31(1)(b).

(3) The term of office of an Elected member when elected under clause 31(1)(a) ends on the day of the third Autumn General Meeting after the election takes effect.

(4) The term of office of an Elected member when elected under clause 31(1)(b) ends on the day of the next Autumn General Meeting after the election takes effect.

(5) An Elected member may resign from office by giving written notice to the Warden and the resignation takes effect on the date on which the notice is received, unless it specifies a later date.

(6) There is a ***casual vacancy*** in the office of an Elected member if the Elected member —

(a) is absent, without the Council's leave, from three consecutive meetings of the Council of which the Elected member has received notice; or

(b) resigns under clause 31(5); or

(c) becomes a person who would be ineligible under clause 46(2)(a) to (d) to be elected as an Elected member; or

(d) dies; or

(e) in the case of an Elected member elected under clause 31(1)(b), comes to the end of their term of office under clause 31(4); or

(f) in the case of an Elected member elected under clause 31(72), comes to the end of their term of office under clause 31(8).

(7) If a casual vacancy occurs in an office under Clause 31(6)(a), (b), (c), or (d), it is to be filled by the election of a Member by the Council in accordance with clause 54 at the Council Meeting next following the expiry of 10 University Working Days from the occurrence of the vacancy.

(8) The term of office of an Elected member when elected under clause 31(7) ends on whichever of the earlier of —

(a) the day on which the term of the office that became vacant (the ***original term***) would have ended; or

(b) if that is not the day of the next Autumn General Meeting after the election takes effect — the day of that meeting.

(9) A casual vacancy to occur in an office under clause 31(6)(e), is to be filled by the election of a Member by Convocation in accordance with clauses 47 to 53.

(10) The term of office of an Elected member when elected under clause 31(9) ends on the day of the second Autumn General Meeting after the election takes effect.

(11) A casual vacancy to occur in an office under clause 31(6)(f), is to be filled by the election of a Member by Convocation in accordance with clauses 47 to 53.

(12) The term of office of an Elected member when elected under clause 31(11) ends on the day on which the original term would have ended.

32. Functions of Council

(1) In addition to the functions it has under this Chapter, the Council has the functions of representing, acting on behalf of and managing the financial and other affairs of Convocation.

(2) For the purposes of Convocation's functions under clause 19 the Council may provide advice to the University in relation to matters affecting relations between the University and its Alumni generally.

(3) The Council is to ensure that the performance of Convocation's function under clause 19(g) is compatible, and not in competition, with the University's fund-raising activities.

(4) The Council may make Standing Orders relating to —

(a) the conduct of General Meetings and meetings of the Council and its committees; and

(b) the performance of the Council's functions; and

(c) any other matter in relation to which it is necessary or expedient to make Standing Orders.

(5) The Standing Orders must be published —

(a) on the Convocation website; and

(b) in any other manner the Council considers necessary in order to bring them to the attention of Members.

(6) The Council must report to Members from time to time as it determines and otherwise communicate with Members by way of newsletters or other publications.

33. Meetings of the Council

(1) In this clause —

Chair means the person chairing a meeting.

Holding and notice of meetings

(2) The Council must meet at least six times in each Calendar Year and, if practicable, a Council Meeting is to be held in each of the months of February, April, June, August, October and December.

(3) The Warden may convene a Council Meeting at any reasonable time.

(4) The Warden or Deputy Warden must convene a Council Meeting if asked to do so by at least six Council members, in writing.

(5) The convenor of a Council Meeting must give each other Council member notice of it at least five University Working Days before the date of the meeting.

(6) Notice of a Council Meeting must be given in writing by any means of communication available.

Procedure for conduct of meetings

(7) A quorum for a Council Meeting is —

(a) the Warden and five other Council members of whom at least two are Council members holding office under clause 28(2)(b) or (c);

(b) if the Warden is not present, the Deputy Warden and five other Council members of whom at least two are Council members holding office under clause 28(2)(b) or (c);

(c) if neither the Warden nor the Deputy Warden is present, six Council members of whom at least three are Council members holding office under clause 28(2)(b) or (c).

(8) The Warden is to chair a Council Meeting, but —

(a) if the Warden, for any reason, is unable to chair any part of the meeting or is not at the meeting, the Deputy Warden is to chair the meeting; and

(b) if the Deputy Warden, for any reason, is unable to chair any part of the meeting or is not at the meeting, a Council member holding office under clause 28(2)(b) or (c) and appointed by the meeting is to chair the meeting.

(9) Each Council member at a Council Meeting has one vote.

(10) At a Council Meeting, voting must be by a show of hands or, if a Council member asks for a secret ballot, by secret ballot.

(11) A resolution passed by a majority of the Council members present at a Council Meeting is the resolution of the Council and, if there is a tie of votes, the Chair has a second vote.

(12) The Chair must ensure that a Council Meeting is minuted by the Convocation Officer, if present, or by another person chosen by the Chair.

(13) Subject to this clause, Council Meetings are to be conducted in accordance with the Standing Orders.

(14) Without limiting clause 33(13), the Standing Orders may provide for holding, attending and participating in Council Meetings using Electronic Communication.

(15) Any procedural question arising at a Council Meeting is to be decided by the Chair.

34. Committees

(1) The Council may establish, amend the composition or functions of, or disestablish a committee of the Council.

(2) A committee is composed of —

(a) the Warden and Deputy Warden who are, by reason of their offices, members of every committee; and

(b) one or more other Council members appointed by the Council; and

(c) one or more other people (whether Members or not) appointed by the Council, being people who, in the opinion of the Council, have qualifications or expertise that will enable them to advise and assist the Council.

(3) A committee must act in accordance with the Standing Orders and any directions given to it by the Council.

35. Delegations by Council and Warden

(1) The Council may delegate any of its powers under this Statute (including its powers as to managing the affairs of Convocation but not including this power to delegate) to —

(a) the Warden, another Council member or two or more other Council members; or

(b) a committee of the Council or the Chair of a committee; or

(c) a Member or two or more Members; or

(d) the Convocation Officer.

(2) A delegation by the Council has no effect unless —

(a) it is made at a meeting of the Council; and

(b) written notice of it is given to the person, or all of the people, to whom the power is to be delegated.

(3) A delegation by the Council —

(a) may relate to a specific matter or be in general terms; and

(b) may be subject to any condition or restriction that the Council decides and includes in the delegation.

(4) The Council may exercise a power even if the power has been delegated.

(5) Anything done under the delegation is taken to have been done by the Council.

(6) The Council, by giving the delegate or delegates written notice, may amend or cancel the delegation at any time.

(7) The Warden may delegate any of the Warden's powers under this Statute (not including this power to delegate) to —

(a) the Deputy Warden, another Council member or two or more other Council members; or

(b) a committee of the Council or its Chair; or

(c) a Member or two or more Members; or

(d) the Convocation Officer.

(8) A delegation by the Warden has no effect unless written notice of it is given to the person, or all of the people, to whom the power is to be delegated.

(9) A delegation by the Warden —

(a) may relate to a specific matter or be in general terms; and

(b) may be subject to any condition or restriction that the Warden decides and includes in the delegation.

(10) The Warden may exercise a power even if the power has been delegated.

(11) Anything done under the delegation is taken to have been done by the Warden.

(12) The Warden, by giving the delegate or delegates written notice, may amend or cancel the delegation at any time.

(13) A delegation under clause 35(1)(d) or 35(7)(d) has effect only to the extent that the power delegated is not inconsistent with the Convocation Officer's functions under clause 18.

36. Financial year and audited statements

(1) The financial year of Convocation ends at the end of each Calendar Year.

(2) After the end of each University financial year, the Warden must present the following to the next Spring General Meeting or an earlier General Meeting —

(a) an audited copy of the statement of Convocation's accounts for the financial year; and

(b) an audited copy of the statement of Convocation's income and expenditure for the financial year.

37. Convocation's funds

(1) The following funds are to continue to be kept and accounted for by the University as part of its financial affairs —

(a) the Convocation General Purposes Fund; and

(b) the Convocation Reserve Fund.

(2) As part of the University's financial affairs, the University is to create, keep and account for such other funds needed for Convocation's purposes, in the manner as the Council reasonably requests of the Vice-Chancellor.

38. Amounts to be credited to Convocation's funds

(1) Earnings on money in a fund referred to in clause 37 must be credited to that fund.

(2) Subject to clause 38(3), money derived from earnings may be distributed from a fund referred to in clause 37 to another of those funds at the discretion of the Council.

(3) Money in the Convocation Reserve Fund derived from earnings can only be distributed to the Convocation General Purposes Fund, and the distribution must be in conformity with the University's income distribution policies and practices.

39. Expenditure from Convocation's funds

(1) Subject to clause 39(2), money in the funds referred to in clause 37 may be applied for such purposes connected to Convocation's functions as the Council decides.

(2) Money cannot be paid out of the Convocation Reserve Fund unless —

(a) a notice of the proposed payment has been included in the agenda of a General Meeting; and

(b) the meeting, by a majority of at least two thirds of votes cast at the meeting, approves the proposed payment.

(3) Clause 39(2) does not apply to money distributed in accordance with clause 38(2) and (3).

40. Members not to be paid

None of Convocation's funds or other assets is to be paid or distributed, directly or indirectly, to Members except in good faith and for the purpose of performing Convocation's functions.

41. University assistance to Convocation

(1) To enable Convocation to perform its functions, the University may provide such facilities and services to Convocation as the Vice-Chancellor and the Warden agree from time to time.

(2) Without limiting clause 41(1), the University is to provide financial assistance to Convocation as may be necessary to enable —

(a) the functions mentioned in clause 19(e) to be performed; and

(b) General Meetings to be held; and

(c) Members to be elected to the Council.

42. Annual report of activities

(1) As soon as practicable after the end of each Calendar Year, the Council must prepare a report on the activities carried out by Convocation in that year in the performance of its functions.

(2) The Council must publish the report on the Convocation website and provide a copy of it to the Senate.

43. Elections conducted by Convocation

(1) Clauses 43 to 53 apply to elections conducted by Convocation.

(2) In clauses 43 to 53 —

Close of Nominations means noon on the day determined under clause 48(10);

Elector means a Member whose name is on the Electors' Roll at the Close of Nominations;

Electors' Roll has the meaning given in clause 44(6);

Returning Officer means the Returning Officer appointed under or by clause 44(1);

Voting Process means a Voting Process approved under clause 45(1).

44. Returning officer and electors' roll

Returning Officer

(1) The Council may appoint a person as the Returning Officer for the purposes of clauses 44 to 53.

(2) A Returning Officer appointed under clause 44(1) remains the Returning Officer until the appointment is cancelled by the Council.

(3) Convocation may remunerate a Returning Officer appointed under clause 44(1).

(4) If there is no Returning Officer appointed under clause 44(1), the Convocation Officer is the Returning Officer.

(5) The Returning Officer has the functions conferred by clauses 44 to 53.

Electors' Roll

(6) The Returning Officer is to maintain a list (the ***Electors' Roll***) that records —

(a) all Members for whom Convocation has a postal address, an Electronic Address, or both; and

(b) that address or those addresses.

(7) Notwithstanding clause 44(6), a Member's name must not be on the Electors' Roll if a request made by the Member under clause 15(4) has been recorded on the Members' Roll and has not been withdrawn.

Returning officers powers as to elections

(8) Subject to clauses 44 to 53, the Returning Officer may determine conclusively all questions of detail concerning an election.

(9) If a candidate in an election dies or withdraws before or after the Close of Nominations, the Returning Officer may make decisions or arrangements, whether consistent with this Division or not, in order to resolve issues concerning the election and enable it to proceed.

45. Alternative voting processes

(1) The Council must approve an electronic Voting Process and a postal Voting Process for elections and publish the approval —

(a) on the Convocation website; and

(b) in any other manner the Council considers necessary in order to bring it to the attention of Members.

(2) An approval under clause 45(1) applies to any election mentioned in clause 47(1) held after the approval is published.

(3) An electronic Voting Process is a process under which a Member for whom an Electronic Address is recorded on the Electors' Roll —

(a) can be sent, by Electronic Communication, a voting paper, a declaration and the additional information required for voting; and

(b) can complete the voting paper and declaration electronically, and can return them by Electronic Communication to the Returning Officer in a manner that preserves the integrity of the process as a secret ballot.

(4) A postal Voting Process is a process under which a Member whose postal address is recorded on the Electors' Roll —

(a) can be sent, by post, a printed voting paper and declaration, a return envelope and the additional information required for voting; and

(b) can complete the voting paper and declaration, and can return them by post, in the return envelope, to the Returning Officer in a manner that preserves the integrity of the process as a secret ballot.

(5) This is the form of the declaration referred to in clause 45(3)(a) and clause 45(4)(a):

I declare that I am a Member of Convocation of The University of Western Australia and that I have not previously voted at this election.
Signature
Full name (block letters)
University number (if known)

(6) The additional information required by clause 45(3)(a) and clause 45(4)(a) is —

(a) the biography of a candidate submitted under clause 48(6); and

(b) how, and in which Calendar Year, a candidate became a Member; and

(c) whether a candidate is a current office-bearer seeking re-election; and

(d) the names of the two Members who have signed a candidate's nomination form; and

(e) directions as to how and when the completed voting paper and declaration must be returned to the Returning Officer; and

(f) any other information the Council considers appropriate.

46. Eligibility for election

(1) The eligibility of a person to be elected, or continue, as a member of the Senate under Section 8(1)(h) is to be determined in accordance with Section 8(3A), Section 9(4) and (6) and Section 11.

(2) Any Member is eligible to be elected as the Warden or an Elected member unless —

(a) the Member is a bankrupt or a person whose affairs are under insolvency laws for the purposes of the *Interpretation Act 1984* Section 13D; or

(b) the Member is disqualified from managing corporations under the *Corporations Act 2001* (Commonwealth) Part 2D.6; or

(c) the Member has been convicted of an offence and sentenced to a term of imprisonment and has not completed the term of imprisonment or been pardoned; or

(d) an administration order is in force under the *Guardianship and Administration Act 1990* Part 6 in respect of the Member; or

(e) the Member is a Council member whose election would, or could, result in the period for which the Member serves continuously as a Council member in any one or more capacities being in excess of nine years.

(3) The Returning Officer may determine that clause 46(2)(e) does not apply to a Member if the Returning Officer considers that the excess would only result from a term or terms of office being longer than three years because of Autumn General Meetings being held on different dates in March in different years.

47. Elections that Convocation itself must conduct

(1) Clauses 47 to 53 apply to these elections by Convocation —

(a) an election of a Member to the Senate under Section 8(1)(h) to fill a vacancy occurring by effluxion of time;

(b) an election under Section 22 to fill a casual vacancy in the office of a Member elected to the Senate under Section 8(1)(h) for the unexpired portion of the term of the office that is vacant;

(c) an election of the Warden under Section 18;

(d) an election of the Warden under clause 27(5);

(e) an election of Elected members under clause 31(1)(a);

(f) an election of an Elected member under clause 31(9) or (11).

(2) Each of the elections mentioned in clause 47(1)(a), (c) or (e), other than a fresh election required by item 3 or 9 of the Table in clause 48(12), is referred to as a ***Periodic Election***.

(3) The Council may decide not to hold an election to fill a casual vacancy in an office that has occurred under Section 20, clause 27(5) or clause 31(6)(e) or (f) if the Council is of the opinion that there is insufficient time to hold the election or that the length of time that a person would serve in the office if elected does not justify the cost or inconvenience, or both, of holding an election.

48. Nomination for election and procedure after nomination

Call for nominations

(1) A notice calling for nominations for an election (the ***notice***) —

(a) must be given to each Elector by hand, by post (to the postal address recorded on the Electors' Roll for each Member) or by Electronic Communication (to the electronic address recorded on the Electors' Roll for each Member); and

(b) must be advertised on the Convocation website; and

(c) may be inserted in one daily or weekly newspaper published in Perth if the Warden considers it appropriate to do so.

(2) The notice must —

(a) contain particulars of the office or offices to be filled at the election and any other information the Council considers appropriate: and

(b) inform Electors of the time and day when nominations for the election close; and

(c) inform Electors that nomination forms for the election are available on the Convocation website and on application to the Returning Officer.

(3) In the case of an election to elect an Elected member, the notice may specify that only members who are in a Member Cohort specified in the notice may nominate for the election.

How nominations are made

(4) A Member who wishes to be a candidate in an election may deliver to the Returning Officer a nomination form for the election obtained from the Convocation website or the Returning Officer.

(5) In order for a nomination to be valid —

(a) the nomination form must be signed by the candidate and by two other Members as proposer and seconder; and

(b) the candidate must be a Member who is eligible for election under clause 46(1) or clause 46(2), whichever is applicable and must declare in the nomination form that they are eligible; and

(c) if clause 48(3) applies, the candidate must be in a Member Cohort specified in the notice; and

(d) the nomination form must reach the Returning Officer no later than the Close of Nominations; and

(e) the nomination form must specify how, and in which Calendar Year, the candidate became a Member; and

(f) the candidate must declare in the nomination form that, if elected, they will abide by the Act, this Statute and the Standing Orders.

Information about candidates

(6) A Member nominated as a candidate in an election must submit to the Returning Officer, before the Close of Nominations, a biography in the form required by the Returning Officer and any other information approved by the Council for inclusion in the biography.

(7) Before a biography is provided to Electors under clause 49(9) in connection with an election, that biography must be submitted to the Vice-Chancellor and any matter in it that the Vice-Chancellor considers to be offensive, defamatory or untrue is to be deleted.

(8) Except in the case of an election of the Warden, the powers in clause 48(7) must be exercised in consultation with the Warden.

(9) If possible, the candidate concerned must be consulted before any matter is deleted from a biography under clause 48(7).

Close of Nominations

(10) Nominations for an election close at noon on the day determined by the Warden which must be at least 30 University Working Days after the day on which the notice is advertised on the Convocation website under clause 48(1)(b).

(11) In the case of a Periodic Election, the day on which nominations close must be at least 30 University Working Days before the next third Tuesday in March.

Procedure after Close of Nominations

(12) The following table (the ***Table***) sets out what is to happen after the Close of Nominations, depending on the number of candidates (if any) from whom nominations that are valid under clause 48(5) have been received by the Returning Officer under clause 48(4).

Table

Item	Kind of election		Number of candidates	Action
1	Senate	cl. 47(1)(a)	2 or more	Poll required
2	Senate	cl. 47(1)(a)	1	Candidate taken to have been elected
3	Senate	cl. 47(1)(a)	None	Fresh cl. 47(1)(a) election to be held
4	Senate	cl. 47(1)(b)	2 or more	Poll required
5	Senate	cl. 47(1)(b)	1	Candidate taken to have been elected
6	Senate	cl. 47(1)(b)	None	Fresh cl. 47(1)(b) election to be held
7	Warden	cl. 47(1)(c)	2 or more	Poll required
8	Warden	cl. 47(1)(c)	1	Candidate taken to have been elected
9	Warden	cl. 47(1)(c)	None	Fresh cl. 47(1)(c) election to be held
10	Warden	cl. 47(1)(d)	2 or more	Poll required
11	Warden	cl. 47(1)(d)	1	Candidate taken to have been elected
12	Warden	cl. 47(1)(d)	None	Fresh cl. 47(1)(d) election to be held
13	Elected member	cl. 47(1)(e)	3 or more	Poll required
14	Elected member	cl. 47(1)(e)	2	Candidates taken to have been elected
15	Elected member	cl. 47(1)(e)	1	Candidate taken to have been elected. After the Autumn General Meeting Council to elect a further Member as an Elected member
16	Elected member	cl. 47(1)(e)	None	After the Autumn General Meeting Council to elect two Members as Elected members
17	Elected member	cl. 47(1)(f)	2 or more	Poll required
18	Elected member	cl. 47(1)(f)	1	Candidate taken to have been elected
19	Elected member	cl. 47(1)(f)	None	Fresh cl. 47(1)(f) election to be held

(13) A candidate is to be disregarded for the purposes of items 13 to 16 of the Table if the candidate is taken to have been elected as the Warden under item 8.

49. Polling day and voting

(1) Clauses 49 to 53 apply if a poll for an election is required under item 1, 4, 7, 10, 13 or 17 of the Table in clause 48(12).

Polling day

(2) Subject to clause 49(3), the day on or before which votes in the poll must be received by the Returning Officer (***polling day***) is the day determined by the Warden.

(3) The day determined under clause 49(2) for a Periodic Election must be a University Working Day not earlier than the next first Tuesday in March and not later than the next third Tuesday in March.

Form of voting papers

(4) As soon as practicable after the Close of Nominations the Returning Officer must determine the form of the voting paper for the poll.

(5) The voting paper must list the names of all candidates in the order determined by the Returning Officer by drawing lots.

(6) The voting paper must contain directions as to how it is to be completed.

(7) If more than one vacancy is to be filled, the voting paper must indicate that how many vacancies are to be filled.

Sending voting papers and associated material

(8) In clause 49(9) to (13) —

Electoral Material means the things mentioned in clause 45(3)(a) or clause 45(4)(a), whichever is applicable.

(9) After the form of the voting paper is determined under clause 49(4), but before the end of the period of 10 University Working Days after the Close of Nominations, the Returning Officer must send Electoral Material to each Elector.

(10) If an Elector only has an Electronic Address recorded on the Electors' Roll, the electronic Voting Process must be used to send Electoral Material to the Elector under clause 49(9).

(11) If an Elector has an Electronic Address and a postal address recorded on the Electors' Roll, the electronic Voting Process must be used to send Electoral Material to the Elector under clause 49(9) unless the Elector —

(a) has instructed the Returning Officer, in writing, that the Elector does not wish to receive and return Electoral Material by Electronic Communication; and

(b) has not withdrawn that instruction.

(12) If an Elector only has a postal address recorded on the Electors' Roll, the postal Voting Process must be used to send Electoral Material to the Elector under clause 49(9).

(13) If the Returning Officer is satisfied that any Electoral Material sent to an Elector by the postal Voting Process has been accidentally lost or destroyed, the Returning Officer must send any material needed to replace it.

How to mark votes and when to return them

(14) To mark their vote on the voting paper in an election where there are only two candidates on the voting paper, an Elector must place the numeral "1" opposite the name of the candidate for whom the Elector votes.

(15) To mark their vote on the voting paper in an election where there are more than two candidates on the voting paper an Elector must —

(a) place the numeral "1" opposite the name of a candidate to indicate that the Elector's first preference is for that candidate; and

(b) place consecutive numerals beginning with the numeral "2", opposite the names of the remaining candidates so as to indicate the order of the Elector's preference for all candidates.

(16) The completed voting paper and declaration must be returned to the Returning Officer in accordance with the applicable Voting Process so that they are received by the Returning Officer no later than 5pm on polling day. For the purposes of clause 50(1), clause 50(3), clause 50(5)(a) and clause 51(2), that time is referred to as the ***close of the poll***.

(17) An Elector cannot vote more than once in an election.

50. Scrutiny and count of votes

(1) The scrutiny and count of votes in an election is to take place, or commence, as soon as practicable after the close of the poll at a time and place determined by the Warden.

(2) Each candidate for election may nominate a scrutineer to be present at the scrutiny and count of votes.

(3) The voting papers and declarations received before the close of the poll are to be examined by the Returning Officer to determine if they have been completed and returned in accordance with the applicable Voting Process.

(4) All the proceedings are subject to the inspection of the scrutineers.

(5) A voting paper is to be excluded from the count if —

(a) it and the declaration that accompanied it, or either of them, were not completed and returned before the close of the poll in accordance with the applicable Voting Process; or

(b) it has not been marked in accordance with clause 49(14) or clause 49(15), whichever is applicable; or

(c) it bears the signature of any person or any other mark which identifies the Elector.

(6) If, on a voting paper to which clause 49(14) applies, any numeral is marked opposite the name of the other candidate, that numeral is taken not to have been marked.

(7) If, on a voting paper to which clause 49(15) applies, numerals in a consecutive sequence beginning with "1" are marked opposite the names of all but one candidate, the next numeral in the sequence is taken to have been marked opposite the candidate's name.

(8) The scrutiny and count of votes may, from time to time, be adjourned as the Returning Officer conducting considers necessary, until duly completed.

(9) The scrutiny and count for Periodic Elections must be completed in the following order —

(a) election of a Member to the Senate;

(b) election of the Warden;

(c) election of Elected members.

(10) Immediately after the completion of the scrutiny and count of votes, the voting papers must be placed in a sealed container by the Returning Officer and held for a period of 40 University Working Days. At the end of that 40 University Working Day period, the Returning Officer must destroy the voting papers, unless otherwise directed by the Vice-Chancellor.

51. Ascertaining result of election

(1) This clause sets out method of counting the votes to be used by the Returning Officer to ascertain the result of an election.

(2) In this clause —

Absolute Majority means a number of votes that is more than 50% of the number of voting papers that were received before the close of the poll and have not been excluded from the count under clause 50(5);

Excluded**,** in relation to a candidate**,** means excluded from the count;

Remaining Candidate means a candidate who has not been elected and has not been previously Excluded.

(3) If only one candidate is to be elected —

(a) if, when all first preference votes for candidates have been counted, a candidate has an Absolute Majority, that candidate is elected;

(b) if there are more than two candidates, and if no candidate has an Absolute Majority, the candidate with the fewest number of first preference votes is Excluded and the votes of the Excluded Candidate are distributed to the Remaining Candidates in accordance with the Excluded Candidate's second preference;

(c) if, when the votes are counted again after that exclusion, a candidate has an Absolute Majority, that candidate is elected;

(d) if no candidate then has an Absolute Majority, the next remaining candidate with the fewest number of votes is excluded and the votes of that newly Excluded Candidate (including votes received from a previously Excluded Candidate) are distributed to the remaining candidates in accordance with the newly Excluded Candidate's next available preference;

(e) the procedure in clause 51(3)(d) is to be repeated until a candidate obtains an Absolute Majority and is elected.

(4) If two candidates are to be elected —

(a) the procedure in clause 51(3) must be used to elect a candidate as the first elected candidate and their first preference votes are distributed to the Remaining Candidates in accordance with the first elected candidate's second preference;

(b) if, when the votes are counted again after that distribution, a candidate has an Absolute Majority, that candidate is elected as the second elected candidate;

(c) if no candidate then has an Absolute Majority, the candidate with the fewest number of votes is Excluded and the votes of the Excluded Candidate (including votes received from the first elected candidate) must be distributed to the Remaining Candidates in accordance with the Excluded candidate's next available preference;

(d) if, when the votes are counted again after that exclusion, a candidate has an Absolute Majority, then that candidate is elected as the second elected candidate;

(e) if no candidate then has an Absolute Majority, the next remaining candidate with the fewest number of votes is Excluded and those votes (including votes received from the first elected candidate or a previously Excluded candidate) must be distributed to the Remaining Candidates in accordance with the newly Excluded candidate's next available preference;

(f) the procedure in clause 51(4)(e) is to be repeated until a candidate obtains an Absolute Majority and is elected as the second elected candidate.

(5) If at any stage of the count, candidates have the same number of votes and it is necessary for the purposes of this clause to determine which of them has the greatest, or fewest, number of votes, the matter is determined by the Returning Officer by the drawing of lots.

(6) In the case of an election where there are only two candidates on the voting paper, a reference in clause 51(3) to first preference votes for a candidate, is taken to be a reference to votes for the candidate.

(7) A person ceases to be a candidate in an election of Elected members under clause 31(1)(a) if the person is elected in accordance with clause 50(9) as the Warden and, in that case —

(a) if there are two Remaining Candidates — the Remaining Candidates are elected; and

(b) if there are more than two Remaining Candidates — in applying this clause, any preference indicated on a voting paper for a person who is no longer a candidate must be disregarded and the voting paper must be treated as if the numeral indicating any subsequent preference had been altered accordingly.

Automated counting

(8) In clause 51(9) and clause 51(10) —

Automated means involving the use of a computer.

(9) For the purposes of clause 50(1) the Returning Officer may, if the Returning Officer thinks fit —

(a) cause the preferences indicated on voting papers to be recorded in an Automated form; and

(b) on the basis of the information so recorded, use Automated means to carry out the procedures set out in this clause.

(10) For proceedings under clause 51(9) the requirements of clause 50(4) are met if —

(a) the recording of preferences in an Automated form is subject to the inspection of the scrutineers; and

(b) the scrutineers have access to the information so recorded and to such information as to the results obtained by using Automated means to carry out the various procedures set out in this clause as is reasonably necessary to allow the scrutineers to determine

whether the results of the election have been ascertained in accordance with the requirements of this clause.

52. Declaration and taking effect of election

(1) The Returning Officer or the Warden must declare the result of an election as soon as practicable after it is ascertained, whether under the Table in clause 48(12) or under clause 51.

(2) Subject to clause 52(3), an election takes effect on the day after its result is declared.

(3) The election of a person at a Periodic Election takes effect on the day after the next Autumn General meeting after the result of the election is declared.

(4) Immediately after the completion of the scrutiny and count of votes, the voting papers must be placed in a sealed container by the Returning Officer and must be held for a period of 40 University Working Days. At the end of that period the Returning Officer must destroy the voting papers unless otherwise directed by the Vice-Chancellor.

53. Simultaneous elections

Senate elections may be held at the same time

(1) An election under clause 47(1)(b) and another election under clause 47(1)(b), or an election under clause 47(1)(a), can be held in conjunction with each other as a single election.

(2) The candidate elected first is elected for the longer term.

Elections for Elected members may be held at the same time

(3) The following elections can be held in conjunction with each other as a single election —

(a) an election under clause 47(1)(f) and another election or elections under clause 47(1)(f); and

(b) an election or elections under clause 47(1)(f) and an election under clause 47(1)(e).

(4) If an election is held in accordance with clause 53(3), clauses 47 to 52 apply to that election with such modifications as are necessary or as are determined by the Returning Officer.

(5) If the terms of the offices to be filled differ in length, they are to be filled, in descending order of length, in the order in which candidates are elected.

(6) If the number of candidates is the same as the number of offices to be filled, the Returning Officer must draw lots to determine the order of their election.

54. Elections of Elected members if conducted by the Council

(1) In this clause —

Returning Officer means the Returning Officer appointed under clause 54(6).

(2) This clause applies to an election of an Elected member by the Council under clause 31(1)(b) or 31(7).

How elections are held

(3) If an election is to be held at a Council Meeting, that must be stated in the notice of the meeting (the ***notice***) and the notice must be published —

(a) on the Convocation website; and

(b) in any other manner the Council considers necessary in order to bring it to the attention of Members.

(4) The notice must specify the day on or before which nominations for the election must be received (the ***nomination day***).

(5) In the case of an election to elect an Elected member, the notice may specify that only members who are in a Member Cohort specified in the notice may nominate for the election.

(6) The Council must appoint the Convocation Officer, or a Member, to be the Returning Officer for the purposes of the election, and the Returning Officer must attend the Council Meeting.

(7) A Member who wishes to be a candidate in the election may deliver to the Returning Officer a nomination form for the election obtained from the Convocation website or the Returning Officer.

(8) In order for a nomination to be valid —

(a) the nomination form must be signed by the candidate and by two other Members as proposer and seconder; and

(b) the candidate must be a Member who is eligible for election under clause 46(2) and, if clause 54(5) applies, in a Member Cohort specified in the notice; and

(c) the nomination form must reach the Returning Officer on or before the nomination day.

(9) If only one candidate is validly nominated, that candidate is elected.

(10) If two or more candidates are validly nominated, one of them must be elected by secret ballot as follows —

(a) the names of the candidates must be written, in order determined by lot by the Returning Officer, on voting papers and one voting paper must be handed to each Council member present at the Council Meeting;

(b) a Council member must complete the voting paper by making a mark opposite the name of one, and only one, candidate in a manner that enables the Returning Officer to be satisfied that the Council member's vote is for that candidate and not for the other, or any other, candidate;

(c) after the voting papers have been collected a count must be conducted by the Returning Officer and the candidate who receives the most votes is elected; and

(d) if two or more candidates each receive the same number of votes, and if they are the only candidates, or if the number of votes that they have both received is higher than the number of votes received by any other candidate, the Chair must determine who is elected.

(11) The Returning Officer must declare the result of the election at the Council Meeting.

(12) The election takes effect on the day after its result is declared.

Elections may be held at the same time

(13) If there are two or more vacancies in offices of Elected members, the elections to fill them can be held in conjunction with each other as a single election.

(14) If an election is held in accordance with clause 54(11), clause 54(7) and clause 54(8) apply to it with such modifications as are necessary or as are determined by the Returning Officer.

(15) If the terms of the offices to be filled differ in length, they are to be filled, in descending order of length, in the order in which candidates are elected.

(16) If the number of candidates is the same as the number of offices to be filled, the Returning Officer must draw lots to determine the order of their election.

Returning Officer can determine questions

(17) Subject to this clause, the Returning Officer may determine conclusively all questions of detail concerning elections to which this clause applies.

Chapter 5 — Student Guild

Note: The *University of Western Australia Act 1911* includes provisions regarding the following matters relevant to this Chapter:

(1.) Establishment of the Student Guild as a body corporate and associated legal matters;

(2.) Purpose of the Student Guild;

(3.) Student Guild as the recognised means of communication between students and the governing authority of the University

(4.) Membership of the Student Guild, including eligibility, entitlement to opt-out and resign from Student Guild, and eligibility for elective office of the Student Guild

(5.) Amenities and Services Fee, including the minimum proportion to be paid to the Student Guild;

(6.) Requirement for the annual financial statement of the Guild to be audited and provided to the Senate

(7.) Requirement for a Common Seal of the Student Guild.

55. Terms used

In this Chapter, unless the contrary intention appears —

Amenities and Services Fee means the fee provided for in clause 61;

Guild Council means the Council of the Student Guild referred to in clause 60;

Student Society means a University club, society or association which is registered by the Student Guild as a student society in accordance with the Regulations;

56. Objects and powers

(1) The Student Guild's objects are to —

(a) foster all that tends to the advancement of students' learning and experience and the ennoblement of life;

(b) provide, conduct, facilitate or manage educational, cultural, sporting, welfare, recreational or commercial facilities or activities for the direct or indirect benefit of Students of the University;

(c) provide means of social interaction between Students at the University; and generally further the common interests of Students at the University.

(2) The Student Guild is the recognised means of communication between the Students or any section of them and —

(a) the Senate; and

(b) other tertiary institutions.

(3) The Student Guild has the powers for the purposes of carrying out its objects to —

(a) spend and invest money;

(b) operate banking accounts;

(c) transact financial business as necessary;

(d) borrow, raise or secure the payment of money for any of the Student Guild's objects including by mortgaging or charging the Student Guild's property or any part of it;

(e) enter into contracts on behalf of the Student Guild or a Student Society, provided that the terms of any contracts have been approved by the Guild Council;

(f) lend money to ordinary members of the Student Guild;

(g) buy, take on lease, take in exchange, hire or otherwise acquire, any real or personal property and to sell, let, mortgage or dispose of that property;

(h) exercise a general supervision and control over all Student Societies;

(i) register Student Societies with the Student Guild and affiliate them with subordinate bodies of the Student Guild;

(j) assume the care, control and management of the property and financial affairs of a Student Society;

(k) incorporate or cause to be incorporated a Student Society under the *Associations Incorporation Act 2015 (WA)* or under the *Corporations Act 2001* (Cth) or any similar legislation, and to hold shares in any company so incorporated, for the benefit of the members of that society and to limit the liability of the Student Guild;

(l) engage and dismiss employees;

(m) hold licences;

(n) admit persons other than ordinary members of the Guild to associate membership, or honorary life membership;

(o) in accordance with the Regulations, impose fines on members of the Student Guild, on members and officers of Student Societies and on Student Societies, for breaches of the provisions of this Chapter, or Regulations, By-laws or rules authorised to be made under this Chapter; and

(p) generally, act in all other matters necessary to give effect to this Statute.

57. Not for profit

(1) The Student Guild is a —

(a) not for profit body; and

(b) notwithstanding (a), will apply surplus revenue to further its objects.

(2) The property and income of the Student Guild must be applied solely to further its objects and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.

(3) A payment may be made to a member out of the funds of the Student Guild only if it is —

(a) the payment in good faith to the member as reasonable remuneration for any services provided to the Student Guild, or for goods supplied to the Student Guild, in the ordinary course of business;

(b) the payment of reasonable rent to the member for premises leased by the member to the Student Guild; or

(c) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Student Guild.

58. Student Guild Regulations

Subject to the Act and in accordance with the Regulations —

(1) the Student Guild may propose that the Senate make, amend or repeal Regulations pertaining to the Student Guild for the purpose of carrying out this Chapter; and

(2) the Senate may consult, co-ordinate, co-operate and consider recommendations from the Student Guild regarding the making, amendment or repeal of Regulations pertaining to the Student Guild made by the Senate under the Act for the purpose of carrying out this Chapter.

59. Membership

(1) The membership of the Student Guild is governed by the provisions in the Act and the Regulations.

(2) The University must notify Students at the time of their enrolment, that they may —

(a) elect at the time of enrolment not to become a member of the Student Guild; and

(b) resign at any time as a member of the Student Guild.

(3) A Student who elects not to be a member of the Student Guild is still entitled to vote in Student Guild elections but may not hold an elective office of the Student Guild.

60. Guild Council

(1) The Student Guild is governed by the Guild Council.

(2) The composition of the Guild Council, and the manner of election of members to the Guild Council, is prescribed in the Regulations.

(3) Subject to the Act, this Statute and the Regulations, the Guild Council has the entire control and management of the affairs and concerns of the Student Guild and may act in all matters concerning the Student Guild in the manner which, in its opinion, is best calculated to promote the interests of the Student Guild.

(4) The Guild Council may make, alter or repeal rules regarding the Student Guild, in accordance with the Regulations.

(5) The Guild Council must make provision for the control and management of any property owned or occupied by the Student Guild.

61. Amenities and Services Fee

(1) All Students are required to pay to the University an annual Amenities and Services Fee.

(2) The Senate determines the amount of the Amenities and Services Fee each year and may consult with the Student Guild first before making that determination.

(3) The Senate may determine that a different level of fee is payable by a specified class of Students depending on a Student's enrolment.

62. Payment of proportion of Amenities and Services Fee to Student Guild

(1) Each year the University must pay to the Student Guild the Amenities and Services Fees collected for that year, and may choose to deduct the University's reasonable costs in administering the fee.

(2) The amount paid to the Student Guild under (1) —

(a) is determined by the Senate, which may first consult with the Student Guild regarding the determination; and

(b) in accordance with the Act, must not be less than 50% of the total amount of the Amenities and Services Fees collected.

63. Use of the Amenities and Services Fee

(1) The proportion of the Amenities and Services Fee paid by the University to the Student Guild under clause 62 may only be used for the benefit of Students for any or all of the following broad categories of amenities and services pursuant to the *Higher Education Support Act 2003* (Cth):

(a) student representation;

(b) student societies;

(c) social activities;

(d) cultural activities;

(e) sporting activities;

(f) welfare;

(g) catering;

(h) commercial activities;

(i) capital funds and infrastructure;

(j) investments and reserves;

(k) other services and amenities consistent with the objects and powers of the Guild as defined in clause 56; and

(l) the administrative costs of any or all of the activities and facilities listed in (a) to (k) (inclusive).

(2) Any amendment of the broad categories of services and amenities listed in (1) must be approved by both the Guild Council and the Senate.

(3) No part of that proportion of the Amenities and Services Fee paid by the University to the Student Guild under clause 62 may be used to support:

(a) a political party; or

(b) the election of a person as a member of:

(i) the legislature of the Commonwealth, a State or a Territory; or

(ii) a local government body.

64. Finance and reporting

(1) The Student Guild's annual financial statements must be audited by an independent external auditor approved by the Senate:

(a) who is a member of CPA Australia, CA ANZ or the Institute of Public Accountants; or

(b) a registered company auditor.

(2) The Student Guild must submit to the Senate within one month of receipt and by no later than six months after the end of the Guild's financial year —

(a) a copy of the audited accounts and financial statements under (1) for the previous financial year; and

(b) a written report on how the proportion of the Amenities and Services Fees it received under clause 62 has been applied to provide amenities and services under the categories referred to in 63.

65. Common Seal of the Student Guild

(1) The Guild Council must maintain the safe custody of the Common Seal of the Student Guild.

(2) The Common Seal of the Student Guild may only be used as authorised by a resolution of the Guild Council and in the presence of the President of the Student Guild.

(3) Every instrument to which the seal is affixed must be signed by the —

(a) President of the Student Guild; and

(b) General Secretary of the Student Guild, or another person appointed by the Guild Council.

(4) The Guild Council must maintain a register of all documents to which the Common Seal of the Student Guild has been affixed, which must include the —

(a) nature of the document;

(b) date on which the common seal was affixed;

(c) authority for affixing the common seal; and

(d) name of the persons signing the instrument to which the seal is affixed.

Chapter 6 — Academic Board

66. Academic Board established

(1) An Academic Board is established by this Statute as the peak governing body for academic matters conferred on it by, or under, the Statute.

(2) The Academic Board is a committee of the Senate.

67. Powers of the Academic Board

(1) Subject to the authority of the Senate, the Academic Board oversees and monitors the development and conduct of academic activities of the University, including —

(a) the establishment, rescission and review of courses;
(b) admission standards;
(c) academic policies; and
(d) related student matters;

and advises the Vice-Chancellor and the Senate, as appropriate, in relation to such matters.

(2) The Vice-Chancellor, before putting a proposal to Senate in relation to any matter relating to the academic activities of the University, which matter has not gone before the Academic Board, must consult with the Chair of the Academic Board. The Chair of the Academic Board may decide whether or not to refer the matter to the Academic Board or a committee of the Board for its advice.

(3) The Academic Board has such powers as are set out from time to time in this Statute, in its Constitution, in Regulations and in delegations to it by the Senate.

68. Constitution

(1) The Senate may approve a Constitution for the Academic Board dealing with its membership and other matters provided that before making any such Constitution or repealing or amending it, the Senate must seek the advice of the Academic Board.

69. Academic Board Regulations

(1) The Senate, before making, amending or repealing any Regulations pertaining to the Academic Board must seek the advice of the Academic Board.

70. Delegation

(1) The Academic Board may delegate the exercise of any of its powers and functions conferred by, or under, this Statute to a committee or person designated by the Academic Board.

[clauses 71 and 72 are intentionally left blank]

Chapter 7 — Faculties

73. Faculty governance

(1) The Faculties are those approved as faculties by the Senate.

(2) Each Faculty has a Faculty Board which exercises the powers and functions of the Faculty and is responsible for the conduct of Faculty business.

(3) Each Faculty must have a governance document approved by the Academic Board, which sets out the constitution and membership of the Faculty and its committees and boards.

(4) With the approval of the Academic Board, a Faculty may establish advisory boards which may include representation from professional bodies.

(5) In accordance with the Act, the Senate must appoint a Head of Faculty for each Faculty for such term and on such conditions as determined by the Senate.

(6) In the absence of the Head of Faculty, the Vice-Chancellor must appoint an acting Head of Faculty for a specified period to perform the duties of the Head of Faculty in their absence.

74. Functions

(1) Each Faculty offers courses approved by the Senate or its delegate.

(2) Subject to the University Legislation and resolutions of the Senate, the Faculty Board is responsible for the conduct of all Faculty business, including —

(a) determining the administration of the Faculty's courses;

(b) providing advice to its Head of Faculty on all issues relating to the Faculty's resources;

(c) making recommendations to the Academic Board, through its Head of Faculty, on any matters related to research or the teaching of its courses; and

(d) providing to other University committees or officers, through its Head of Faculty, advice on any matter referred to it for consideration.

75. Membership

(1) Each Faculty comprises —

(a) the Head of Faculty;

(b) all Academic Staff in the Schools, Centres and Institutes within or funded by the Faculty;

(c) Academic Staff in other Schools, Centres and Institutes who teach in the Faculty's courses;

(d) the following ex-officio members —

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice-Chancellor;

(iv) the members of the University Executive;

(v) the Chair of the Academic Board; and

(vi) any other positions approved by the Academic Board; and

(e) any other categories of persons approved by the Academic Board.

(2) The membership of each Faculty Board is to be prescribed in the Faculty's governance document approved by Academic Board under clause 73(3).

76. Faculty delegation

(1) A Faculty Board may, with the approval of the Academic Board, delegate any of its powers to its Head of Faculty, a Head of School or a Faculty committee.

(2) A Head of Faculty may delegate any of the duties and responsibilities of the office to other officers or members of the Faculty for a specified period.

77. Faculty Board meetings

Faculty Board meetings are called and conducted in accordance with the Faculty's governance documents approved by Academic Board under clause 73(3).

Chapter 8 — Admission, Enrolment, Scholarships & Prizes

78. Admission and Enrolment

(1) The admission and enrolment of Students must be conducted in accordance with the University Legislation.

(2) A person will not be enrolled in any program for any Award unless that person has complied with the enrolment requirements set out in the University's handbook, policies and procedures.

(3) Upon enrolment, a Student is bound by the University Legislation.

79. Scholarships and prizes

Scholarships and prizes are to be established in accordance with University policy and governed by conditions approved by the University in accordance with Chapter 6.

Chapter 9 — Awards, Honorary Degrees and Titles

80. Conferral of Awards

(1) The Senate may confer an Award —

(a) where a Student has completed the Award requirements set by Academic Board; or

(b) as an honorary degree in accordance with clause 81; or

(c) ad eundem gradum to a graduate of any other university, on the recommendation of the Academic Board.

(2) To qualify for an Award of the University a student must —

(a) complete the relevant course requirements as specified in the rules which apply to that Award; and

(b) comply with all rules which apply to that Award; and

(c) comply with all Statutes, By-laws, Regulations and Rules of the University.

(3) With the exception of honorary degrees and degrees conferred posthumously, before an Award is conferred the candidate must sign the following declaration:

"I hereby promise that I will maintain the rights and privileges of The University of Western Australia, and that I will endeavour at all times to uphold its dignity."

(4) Awards are conferred on behalf of the Senate by —

(a) the Chancellor; and

(b) in the absence of the Chancellor —

(i) the Pro-Chancellor; or

(ii) the Vice-Chancellor; or

(ii) a member of the Senate.

(5) An Award may be conferred posthumously.

81. Honorary degrees

Note:	The *University of Western Australia Act 1911* includes provisions regarding the Senate's power to confer honorary degrees or other distinctions on persons approved by the Senate (Section 29).

(1) The Senate may confer an honorary Award, including an honorary degree, on a person who the Senate considers has demonstrated distinguished service or achievements in accordance with University policy.

(2) The **Honorary Degrees Committee** is a standing committee of the Senate which advises the Senate regarding the awarding of honorary degrees and honorary awards. The Senate may adopt or reject the recommendation of the Honorary Degrees Committee.

(3) The membership of the Honorary Degrees Committee is prescribed in its constitution as approved by the Senate.

(4) The criteria for the award of honorary degrees and awards is prescribed in University policy.

82. Register of graduates

(1) The Senate must maintain a register of graduates containing the name and address of every person to whom an Award has been granted, and the particulars of the Award.

(2) No person is considered to hold an Award of the University unless their name and the Award are recorded in the register of graduates.

(3) The register of graduates must not be altered or amended unless —

(a) the Award has been revoked in accordance with clause 83; or

(b) the Senate directs that an error or omission be corrected.

83. Revocation of Awards

(1) The Senate may revoke —

(a) an honorary degree in accordance with University policy; or

(b) any other Award where it was awarded in error.

(2) When an Award is revoked the name of the person must be removed from the register of graduates.

(3) The Senate may revoke an Award under this Statute even if the Award was conferred before the commencement of this Statute.

(4) The Senate may reinstate a revoked Award where it is satisfied that there is good cause to do so, in which case the person's name must be restored to the Register of Graduates.

84. Titles

The Senate may, in accordance with the University's policies, confer a title on a person who is associated with the University.

Chapter 10 — Student conduct and discipline

85. Student conduct

(1) A Student commits misconduct if he or she beaches a University student conduct standard.

(2) University student conduct standards are prescribed in the Regulations.

86. Penalties for misconduct

A Student who is found to have committed misconduct may be liable to the penalties prescribed under the Regulations.

87. Board of Discipline

There is a **Board of Discipline** constituted and conducted in accordance with the Regulations and the relevant policies and procedures.

88. Powers regarding misconduct

The Board of Discipline and the officers specified in the Regulations have the power to determine matters of Student conduct and, where appropriate, impose penalties as specified in the Regulations.

Chapter 11 — Affiliation

Note:	The *University of Western Australia Act 1911* includes information regarding the Senate's power to make statutes regarding affiliation to, or connection with, the University.

89. Affiliation

(1) Subject to the University Legislation, the Senate may approve an agreement for the University to affiliate with any college, institution, organisation or other body the Senate considers appropriate.

(2) Subject to clause 89(6), the affiliation of an external body to the University must be effected by a formal agreement entered into by the University on such conditions as the Senate thinks fit.

(3) The Senate may set the manner and form of affiliation agreements.

(4) The initial term of affiliation must not exceed five years, but may be extended if approved by the Senate.

(5) The Senate must ensure continuing affiliations are reviewed at least once every five years.

(6) Affiliations approved prior to the commencement of this Regulation remain valid even if they have not been effected by a formal agreement, and remain valid until otherwise resolved by Senate.

(7) A fully executed affiliation agreement made in accordance with this clause 89 and stating that an institution, organisation or body is affiliated to the University is conclusive evidence of affiliation in accordance with this Statute.

Chapter 12 — Common Seal of the University

Note:	The *University of Western Australia Act 1911* requires By-laws and Statutes to be sealed with the common seal of the University.

90. Custody of the common seal

The University Secretary must maintain custody of the Common Seal of the University.

91. Use of the common seal

(1) The Common Seal of the University must not be used except as authorised by the Act, this Statute or by the Senate.

(2) Subject to (4), the Common Seal of the University may only be affixed by —

(a) the University Secretary; or

(b) a person authorised by the University Secretary or the Senate.

(3) The Common Seal of the University may only be affixed to —

(a) certificates of degrees, diplomas or other qualifications granted or conferred by the Senate;

(b) Statutes of the University;

(c) By-laws of the University; and

(d) other documents or classes of documents as authorised by the Senate.

(4) If the University Secretary is not available to affix the Common Seal of the University, then the Chancellor, Pro-Chancellor or Vice-Chancellor may direct that the Common Seal of the University be affixed to a document, but must as soon as possible report to the Senate on the fixing of the Common Seal of the University and the reason for it.

(5) The affixing of the Common Seal of the University must be attested by the Chancellor, the Pro-Chancellor or the Vice-Chancellor.

92. Register of use of common seal

The University Secretary must maintain a register of all documents to which the Common Seal of the University has been affixed, which must include the —

(1) nature of the document;

(2) date on which the Common Seal of the University was affixed;

(3) authority for affixing the Common Seal of the University; and

(4) name and position of the person attesting the affixing of the Common Seal of the University.

Chapter 13 — General provisions

93. Making, amending and promulgating Regulations

(1) Regulations are made by Senate resolution under Section 16E and promulgated on the University's official website. The time of promulgation will be the time at which the Regulations are published on the University's official website.

(2) Regulations may be amended or repealed by a —

(a) Statute; or

(b) provision of the same Regulations which comes into operation on a later date; or

(c) resolution of Senate.

94. Repeal of Statutes

The following Statutes are repealed:

(1) Statute 1. The Senate

(2) Statute 2. Seal of the University

(3) Statute 3. Admission Ad Eundem Gradum

(4) Statute 4. Applications for Admission to Convocation under Section 17(1)(c)

(5) Statute 6. Applications for Admission to Degrees under Section 31(1)(o)

(6) Statute 7. Admission to Courses of the University

(7) Statute 8. The Faculties

(8) Statute 9. Convocation

(9) Statute 10. Vice-Chancellor

(10) Statute 11. Academic Dress

(11) Statute 12. Method of Election by Convocation of Persons to be Members of the Senate

(12) Statute 13. Affiliated and Associated Institutions

(13) Statute 14. Granting and Conferring of Degrees and Diplomas

(14) Statute 17. Student Discipline

(15) Statute 18. Hackett Student Fund

(16) Statute 19. Academic Board

(17) Statute 20. Guild of Undergraduates

(18) Statute 21. Australian Music Examinations Board

(19) Statute 22. Gledden Trust

(20) Statute 23. Registrar

(21) Statute 24. Affiliation of University Colleges

(22) Statute 28. Superannuation Scheme

(23) Statute 30. Deputy Vice-Chancellor

(24) Statute 31. Scholarships and Prizes

95. Repeal of Regulations

The following Regulations are repealed:

(1) Computer and Software Use Regulations

(2) Course Regulations

(3) Regulations for Admission to Undergraduate Award Courses

Chapter 14 — Transitional provisions

96. Terms used

In this Chapter, unless the contrary intention appears, terms have the meanings that they have in Chapter 4 and —

Commencement Day means the day on which the University of Western Australia Amending Statute No 1 of 2024 comes into effect;

Convocation Council means Convocation Council as established under clause 28 as in effect before the Commencement Day;

Councillor and ***Ordinary Councillor***, have the meanings given in clause 14 as in effect before the Commencement Day.

97. Continuity of Convocation Council and Alumni Council

The Council is the successor of the Convocation Council, and, on and from the Commencement Day, anything done or made by the Convocation Council before the Commencement Day is taken to have been done or made by the Council.

98. Membership of Council

(1) An Ordinary Councillor, holding office immediately before the Commencement Day, is to hold office as an Elected member for the remainder of their term of office, but the office becomes vacant if they —

(a) resign under clause 31(5); or

(b) become a person who would be ineligible under clause 46(2)(a) to (d) to be elected as an Elected member; or

(c) die.

(2) Despite clause 28(2)(c) —

(a) on and from the Commencement Day until the day of the next Autumn Ordinary General Meeting after the Commencement Day, the number of Elected members is 18; and

(b) on and from the day after the next Autumn Ordinary General Meeting after the Commencement Day until the day of the second Autumn Ordinary General Meeting after the Commencement Day, the number of Elected members is 14; and

(c) on and from the day after the second Autumn Ordinary General Meeting after the Commencement Day until the day of the third Autumn Ordinary General Meeting after the Commencement Day, the number of Elected members is 10.

(3) A reference in Chapter 4 to service as a member of the Council includes a reference to service as a Councillor before the Commencement Day.

99. Deputy Warden

Despite clauses 28(2) and 29(2) the Deputy Warden in office immediately before the Commencement Day is entitled to continue in that office and as a Council member until the day of the next Autumn General Meeting after the Commencement Day, but the office becomes vacant if they —

(a) resign under clause 29(4); or

(b) become a person who would be ineligible under clause 46(2)(a) to (d) to be elected as an Elected member; or

(c) die.

Notes

These notes do not form part of the written law.

Revision History
This is a compilation of the *University of Western Australia Statute*

Version	**Citation** *(name of amending legislation)*	**Approved/Amended/Rescinded/ Description**	**UWA Senate approval** (date and resolution)	**Published** (*Government Gazette* (GG))	**Commencement**
-	*The University of Western Australia Statute 2020*	Approved New Statute. Consolidation and amendment of individual statutes	6 July 2020 S R44/20	-	-
-	*The University of Western Australia Statute 2020*	Approved New Statute, amended	10 August 2020 S R53/20	GG No 167, 2 October 2020	3 October 2020
-	*The University of Western Australia Statute No 2 of 2024*	Amended. Chapter 1 (Notes, clause 6 , definitions), Chapter 3 (Notes, clauses 10(1), 12(2)), Chapter 5 (clause 61(2)), Chapter 6 (clauses 66 to 72 replaced), Chapter 7 (clauses 74(1), 74(2), 75(1)), Chapter 5 (clause 80(4)).	28 October 2024 S R135/24	GG No 158, 19 December 2024	20 December 2024
-	*The University of Western Australia Statute No 1 of 2024*	Amended. Chapter 4 (clauses 14 to 54 replaced) Chapter 14 (new Chapter inserted)	28 October 2024 S R134/24	GG No 158, 19 December 2024	1 June 2025