

*Melbourne University Act 1958*  
*Act No. 6405/1958*

Part I—Constitution and Government of the University

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S. 19(2)  
inserted by  
No. 105/1994  
s. 9(2),  
amended by  
Nos 70/1995  
s. 15(2),  
9/1997 s. 13.

No. 3795 s. 20.

Victorian Legislation and Parliamentary Documents

Pt 1 Div. 3  
(Heading)  
substituted by  
Nos 8638  
s. 13(1)(a),  
10238 s. 7(1).

S. 20A  
inserted by  
No. 10238  
s. 7(1).

- (2) If the Statutes so provide, the Council may, in the circumstances and manner prescribed in the Statutes, revoke any degree, diploma, certificate, licence or other award conferred or granted by the University, whether before or after the commencement of section 15(2) of the **University Acts (Further Amendment) Act 1995**.

**20. Validation of proceedings notwithstanding vacancy or disqualification**

No proceeding of the council or of any committee thereof shall be invalidated or be illegal in consequence only of there being any vacancy in the number of the members of the council at the time of such proceeding; and all proceedings of the council or of a committee thereof or of any other person acting as a member of the council shall notwithstanding it may afterwards be discovered that there was some defect in the election or appointment of the members of the council or persons acting as aforesaid or that they or any of them were incapable of being members of the council be as valid as if every such person had been duly elected or appointed and was capable of being a member of the council.

**Division 3—Convocation and its Committee**

**20A. Convocation**

Convocation consists of all graduates.

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**21. Powers of convocation**

Convocation—

- (a) shall every two years elect, in accordance with standing orders of convocation, one of its members to be president;
- (b) shall hold at least one ordinary meeting in every year;
- (c) may hold special meetings as provided for by standing orders of convocation;
- (d) may submit for consideration of the council such suggestions as it thinks fit with respect to the affairs and concerns of the University; and the council shall take all such suggestions into consideration and report to convocation its determinations thereon; and
- (e) may make standing orders providing for the number of ordinary meetings to be held in every year, the time and place of and the manner of convening ordinary and special meetings and for the regulation of its proceedings and of the proceedings of the committee of convocation and for the election of the president and deputy president and for any other matters with respect to which it is empowered by the statutes of the University to make standing orders so far as such standing orders are not repugnant to any Act or law in force in Victoria or to any statute or regulation of the University.

**S. 21**  
substituted by  
**No. 8638**  
s. 13(1)(b),  
amended by  
**No. 10238**  
s. 10(b).

**S. 21(a)**  
substituted by  
**No. 10238**  
s. 7(2)(a).

**S. 21(c)**  
amended by  
**No. 10238**  
s. 10(c).

**S. 21(d)**  
amended by  
**No. 10238**  
ss 7(2)(b),  
10(c).

**S. 21(e)**  
amended by  
**No. 10238**  
s. 7(2)(c).

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No. 3795 s. 22.

S. 22  
substituted by  
No. 8638  
s. 13(1)(c),  
amended by  
No. 10238  
s. 10(b)(e).

## 22. Chairman

At every meeting of convocation the president shall preside as chairman and in the absence of the president the members of convocation present shall elect a chairman.

No. 3795 s. 23.

S. 23(1)  
amended by  
Nos 8638  
s. 13(1)(d)(i),  
10238  
s. 8(1)(a).

## 23. Committee to be constituted and election of members

- (1) There shall be a committee of convocation (hereinafter referred to as "the committee") consisting of the president of convocation ex officio and not less than 40 other persons who are members of convocation:

Provided that no member of the council and that no member of the academic staff or other officer of the University whose sole or principal employment is in connexion with his duties as such shall be a member of the committee:  
Provided further that if any member of the committee is elected or appointed to be a member of the council or is appointed to be a member of the academic staff or other such officer as aforesaid his office as a member of the committee shall become vacant.

- (2) Subject to this Act—

- (a) the elective members of the committee shall be elected by convocation; and

- (b) the elections shall be conducted in accordance with statutes or regulations of the University.

S. 23(2)(a)  
amended by  
Nos 8638  
s. 13(1)(d)(ii)  
(iii), 10238  
s. 10(b)(f).

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(3) Such statutes or regulations may provide for voting by post and for preferential voting or for proportional representation where the principle of proportional representation is applicable.

(4) The council may from time to time in accordance with the statutes of the University determine—

**S. 23(4)**  
amended by  
**No. 8638**  
s. 13(1)(d)(ii),  
substituted by  
**No. 9619**  
s. 13(a).

(a) the number of members of the committee to be elected;

**S. 23(4)(a)**  
amended by  
**No. 10238**  
s. 10(f).

(b) how the several classes of graduates are to be represented thereon, whether separately or by grouping together two or more classes; and

(c) the number of members to be elected as representing each class or group of classes of graduates.

(4A) Any determination under sub-section (4) as to the number of members of the committee to be elected as representing each class or group of classes of graduates shall be such as to ensure, so far as is practicable, that the members of each such class or group of classes whose names appear on the postal roll kept pursuant to the statutes of the University are proportionately represented on the committee.

**S. 23(4A)**  
inserted by  
**No. 9619**  
s. 13(a),  
amended by  
**No. 10238**  
s. 10(f).

(5) Where in consequence of the making of any statute as aforesaid any previously existing statute or regulation of the University is revoked or altered and in consequence thereof any change is made in the number of members to be elected or in the classes or groups of classes of graduates to be represented or in the representation of any class or group of classes of graduates provision may be

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**S. 23(6)**  
amended by  
Nos 8638  
s. 13(1)(d)(ii),  
10238 s. 10(f).

made in the new statute for any matters or things necessary or convenient to be provided for carrying the new statute into effect.

- (6) Any new statute under this section shall take effect immediately before the election of members of the committee to be held next after the making of the statute.
- (7) In all cases the number of representatives of each class or group of classes of graduates to be elected as provided in this section shall be an even number.

**S. 23(8)**  
amended by  
Nos 8638  
s. 13(1)(d)(ii)  
(iii), 10238  
s. 10(b)(f),  
repealed by  
No. 70/1997  
s. 30(1).

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**S. 23(9)**  
amended by  
Nos 8638  
s. 13(1)(d)(ii),  
10238 s. 10(f),  
105/1994  
s. 17(b),  
repealed by  
No. 70/1997  
s. 30(1).

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**S. 23(10)**  
amended by  
Nos 8638  
s. 13(1)(d)(ii)  
(iii), 10238  
s. 10(b)(f),  
70/1997  
s. 30(2).

- (10) The provisions of this Act relating to members of the council so far as regards eligibility for re-election, the conduct of elections, and the occurrence of and the filling of vacancies shall mutatis mutandis extend and apply to elected members of the committee:

Provided that—

- (a) at elections of members of the committee every member of convocation shall be qualified to vote by reason of being a graduate of the class or group of classes of

**S. 23(10)(a)**  
amended by  
No. 10238  
s. 10(b)(f).

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graduates to be represented and shall be entitled to one vote in respect of each degree conferred upon such graduate or to which such graduate has been admitted by the University; but no graduate shall be entitled to more than one vote in respect of any degrees in any one faculty or school;

- (b) if any elected member of the committee by writing under his hand directed to the president resigns his office or if he is absent from all meetings thereof held during a period of six consecutive months without the leave of the committee previously granted his office shall become vacant;
- (c) in the case of—
- (i) any casual vacancy however occurring in the office of an elected member of the committee, the vacancy shall be filled by the election by a majority of the remaining members of the committee of a member of the committee representing the same class or group of classes of graduates; or
- (ii) any casual vacancy in the office of president of convocation, the vacancy shall be filled by the election by a majority of the members of the committee of a member of the committee—

S. 23(10)(b) amended by Nos 8638 s. 13(1)(d)(iv), 9619 s. 13(b) (as amended by No. 10238 s. 11(1)(c)), 10238 s. 10(f).

S. 23(10)(c) amended by Nos 8638 s. 13(1)(d)(iv), 9619 s. 13(c), substituted by No. 10238 s. 8(1)(b).

and the person elected in each case shall be entitled to hold office during the residue of the term of office of the person replaced; and

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S. 23(10)(d)  
amended by  
No. 10238  
s. 8(1)(c).

- (d) the present elective members of the graduate committee of the graduates of the University in office at the commencement of this Act shall for the respective terms for which they were elected be deemed to be members of the committee as if elected under this Act.

No. 3795 s. 24.

**24. Meetings of committee**

S. 24(1)  
amended by  
Nos 8638  
s. 13(1)(e)(i)  
(as amended  
by No. 9019  
s. 2(1)(Sch.  
item 268)),  
10238  
s. 10(f)(g).

- (1) Subject to any standing orders of convocation, the committee—
- (a) may meet at such times and places as it thinks fit; and may adjourn any meeting; and
- (b) may regulate its own proceedings.

S. 24(2)  
amended by  
Nos 8638  
s. 13(1)(e)(ii),  
10238 s. 10(f).

- (2) So long as there is a quorum the committee may act notwithstanding any vacancy in its numbers.

S. 24(2A)  
inserted by  
No. 10238  
s. 8(2)(a).

- (2A) The committee shall whenever a vacancy occurs elect, in accordance with the standing orders of convocation, one of the members of the committee to be deputy president of the committee for such period as the committee determines.

S. 24(3)  
substituted by  
No. 8638  
s. 13(1)(e)(iii),  
amended by  
No. 10238  
ss 8(2)(b),  
10(f).

- (3) The president shall be ex officio chairman of the committee and the president or in his absence the deputy president or, in the absence of the president and the deputy president a member of the committee elected as chairman by the members present shall preside at all meetings of the committee.

S. 24A  
inserted by  
No. 70/1995  
s. 16.

**24A. Resolutions without meetings of the committee**

- (1) If a majority of the members for the time being of the committee sign a document circulated by, or on behalf of, the president of convocation containing a statement that those members are in

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favour of a resolution in terms set out in the document, a resolution in those terms shall be taken to have been passed at a meeting of the committee held on the day on which the document is signed or, if the members do not sign it on the same day, on the day on which the last member to sign signs the document.

- (2) If a resolution is, under sub-section (1), taken to have been passed at a meeting of the committee, each member must be advised as soon as practicable and given a copy of the terms of the resolution.
- (3) For the purposes of sub-section (1), two or more separate documents containing a statement in identical terms, each of which is signed by one or more members, shall be taken to constitute one document.

**24B. Approved methods of communication for committee meetings**

S. 24B  
 inserted by  
 No. 70/1995  
 s. 16.

- (1) If not less than two thirds of the members of the committee for the time being holding office so agree, a meeting of the committee may be held by means of a method of communication, or by means of a combination of methods of communication, approved by the president of convocation for the purposes of that meeting.
- (2) For the purposes of this Division, a member of the committee who participates in a meeting held as permitted by sub-section (1) is present at the meeting even if he or she is not physically present at the same place as another member participating in the meeting.
- (3) In this section, "**meeting**" includes a part of a meeting.

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No. 3795 s. 25.

S. 25  
amended by  
Nos 8638  
s. 13(1)(f)(i),  
10238 s. 10(f).

S. 25(a)  
repealed by  
No. 70/1997  
s. 30(3).

S. 25(b)  
amended by  
Nos 8638  
s. 13(1)(f)(i),  
10238 s. 10(f).

S. 25(d)  
amended by  
Nos 8638  
s. 13(1)(f)(ii),  
10238 s. 10(b).

No. 3795 s. 26.

S. 26(1)  
amended by  
Nos 8638  
s. 13(1)(g)(i)  
(as amended  
by No. 9019  
s. 2(1)(Sch.  
item 269)),  
9619 s. 14,  
10238  
s. 10(b)(d).

**25. Powers and duties of committee**

The committee—

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- (b) may submit for the consideration of the council such suggestions as it thinks fit with respect to the affairs and concerns of the University; and the council shall take all such suggestions into consideration and report to the committee its determinations thereon;
- (c) shall report to the council on any matters referred to it by the council for report;
- (d) may at any time and shall once at least in every year report to convocation; and
- (e) shall have such other powers and duties as are conferred or imposed on it by or under this Act or any other Act or any statutes or regulations of the University.

**26. Questions how decided**

- (1) All questions which come before any meeting of convocation or of the committee of convocation shall be decided by the majority of members present.

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- (2) The chairman at any such meeting shall have a vote and in case of an equality of votes a casting vote.
- (3) No question shall be decided at any meeting of convocation unless at least twenty members thereof are present or at any meeting of the committee of convocation unless at least ten members thereof are present.

S. 26(3)  
amended by  
Nos 8638  
s. 13(1)(g)(ii),  
9619 s. 14,  
10238  
s. 10(b)(d).

**27. Validation of proceedings notwithstanding vacancy or disqualification**

No. 3795 s. 27.  
S. 27  
amended by  
Nos 8638  
s. 13(1)(h)(i)(ii),  
9619 s. 15,  
10238  
s. 10(b)(f)(h),  
105/1994  
s. 17(c).

The provisions of section twenty of this Act shall extend and apply to convocation and the committee and persons acting as members thereof respectively as if for the word "council" in such section there were substituted the word "convocation" or the word "committee" (as the case may require).

**Division 4—The Academic Board**

Pt 1 Div. 4  
(Heading)  
substituted by  
No. 9123  
s. 2(b).

**28. Constitution of the academic board and its powers and duties**

- (1) There shall be an academic board as constituted by the statutes and regulations of the University.

S. 28(1)  
amended by  
Nos 7545  
s. 3(c), 8181  
s. 2(1)(Sch.  
item 188),  
substituted by  
No. 8638 s. 14,  
amended by  
Nos 9123  
s. 2(c), 9427  
s. 6(1)(Sch. 5  
item 108).