

Vice-Chancellor Regulation

PART 1 – PRELIMINARY

1. Purpose

The purpose of this regulation is to make provision:

- (a) about the general powers, functions and duties of the Vice-Chancellor; and
- (b) for the exercise of specific powers, functions and duties of the Vice-Chancellor.

2. Authorisation

This regulation is made under Part 5 of the *University of Melbourne Act 2009 (Vic)*.

3. Commencement

Following Council approval, this regulation comes into operation upon publication on the University of Melbourne website.

4. Definitions

“**academic discipline**” refers to a defined branch of study or learning.

“**Academic Registrar**” refers to a staff member with that designated title.

“**Act**” means the *University of Melbourne Act 2009 (Vic)*.

“**alumni body**” includes an association or organisation recognised under section 22 of this regulation.

“**Board**” means the Academic Board established under section 10 of the University of Melbourne Statute.

“**charter**” means a document recording requirements for the establishment of a University department under section 7(1) of this regulation.

“**faculty**” means an academic unit established as a faculty under section 13(1) of the Council Regulation and includes a graduate school established as a faculty.

“**penalise**” includes imposing a fine, sanction on enrolment or re-enrolment issuance of an academic transcript, cancellation of enrolment and conferral of a degree.

“**senior executive**” means a staff member, however designated, directly responsible to the Vice-Chancellor and includes a dean of a faculty.

“**student**” means:

- (a) any person enrolled in accordance with the relevant policies and procedures at the University; and
- (b) for the purposes of section 20 of this regulation, any person who meets the entry requirements for entry to a course or subject.

“**University activities**” includes:

- (a) attendance at or participation in University lectures, seminars, tutorials, laboratory work, assessments and classes;
- (b) participating in internships, placements, study tours, travelling subjects or student exchanges associated with or organised by the University; and

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- (c) participating in excursions, trips, functions, events, games or competitions associated with or organised by the University.

“**University department**” means a department of the University established under section 7 of this regulation and includes academic and non-academic departments.

“**University handbook**” means a handbook published annually listing all the courses and subjects available for entry and enrolment at the University in the year of the handbook.

PART 2 – GENERAL

5. Powers, functions and duties

- (1) The Vice-Chancellor is accountable to Council for:
 - (a) leadership, management and administration of the University; and
 - (b) providing reports and information to Council to enable Council to undertake its duties and functions.
- (2) Subject to the Act, University statutes and regulations, Council confers on the Vice-Chancellor the powers, functions and duties necessary to undertake the leadership, management and administration of the University.
- (3) For the avoidance of doubt:
 - (a) the Vice-Chancellor is expected to reasonably interpret the nature and scope of the conferral in (2) as he or she sees fit;
 - (b) the Vice-Chancellor has the power to obtain information from any staff member related to any of his or her powers, functions and duties;
 - (c) the primary responsibilities of Council under section 8(3) of the Act remain Council responsibilities; and
 - (d) the remaining parts of this regulation clarify the scope and nature of the conferral in (2) for specific matters but do not limit its general nature in the matters mentioned or not mentioned.
- (4) Nothing in this section takes away Council’s power under the Act to confer, or to limit the conferral of, powers, functions and duties on the Vice-Chancellor.
- (5) The Vice-Chancellor may exercise any powers of Council which:
 - (a) are necessary for or incidental to the proper administration of the University;
 - (b) are of a routine or minor nature; or
 - (c) which by reason of an emergency require immediate action.
- (6) The Vice-Chancellor must notify the next meeting of Council of any exercise of power under (5)(a)-(c).

PART 3 – STRUCTURES AND STAFF

6. Senior executives

- (1) Subject to this regulation, the Vice-Chancellor may appoint one or more senior executives accountable to the Vice-Chancellor on terms and conditions as the Vice-Chancellor sees fit.
- (2) In accordance with the Act, the Vice-Chancellor may confer or delegate his or her powers, functions and duties on senior executives, as he or she sees fit.
- (3) Nothing in (2) prevents the Vice-Chancellor delegating his or her powers to another staff member or committee in accordance with the Act.
- (4) The Vice-Chancellor may not appoint a senior executive for a term exceeding five years.
- (5) The Vice-Chancellor may re-appoint a senior executive.

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- (6) Deans must:
- (a) lead and manage the academic and administrative activities of each faculty in accordance with University statutes, regulations, policies and procedures;
 - (b) establish faculty structures and governance arrangements for:
 - (i) undertaking the teaching, research and other academic functions;
 - (ii) executive support to the dean;
 - (iii) consultation with faculty staff and students on faculty matters;
 - (iv) a body comprised of graduates of the faculty and appropriate representatives from government and industry to advise the faculty and the executive.
 - (c) provide reports as required to Council, the Vice-Chancellor and the Board;
 - (d) administer faculty courses, including those assigned to the faculty, subject to direction from the Vice-Chancellor and subject to policy set by the Board; and
 - (e) undertake any other function or duty set in terms and conditions of the dean's employment contract.
- (7) For the avoidance of doubt, nothing in this section prevents Council or the Vice-Chancellor conferring, imposing or delegating other functions or duties on the deans.

7. University departments

- (1) Subject to (2), the Vice-Chancellor may establish or disestablish University departments including:
- (a) academic departments, schools, including graduate schools within a faculty, and research centres for the purpose of teaching, learning and research provided:
 - (i) the academic unit is part of a faculty; and
 - (ii) the Vice-Chancellor appoints a head of each academic unit; and
 - (b) departments not controlled or hosted by a faculty, or other University division, provided the department has:
 - (i) objects that support University objects;
 - (ii) appropriate structure and governance arrangements; and
 - (iii) provision for required reporting.
- (2) Council must approve governance arrangements of any academic departments established under (1)(a) where the establishment impacts on governance arrangements in other existing academic departments or faculties.
- (3) The Vice-Chancellor must publish the charters of University departments established in 1(b) including the requirements for 1(b)(i)–(iii) and any other requirements of Council or the Vice-Chancellor.
- (4) Nothing in this section prevents the Vice-Chancellor from setting a standard charter for the establishment of a University department under (1)(b).
- (5) The Vice-Chancellor must report to Council and the Board the establishment of any University department in accordance with (1)(a) at the next meeting of Council and of the Board.
- (6) The Vice-Chancellor must report to Council the establishment of any University department in accordance with (1)(b) at the next meeting of Council.
- (7) The Vice-Chancellor must report to Council as soon as practicable any changes impacting on University or faculty governance arrangements.
- (8) University departments established prior to the commencement of this regulation continue to exist until disestablishment by the Vice-Chancellor.

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8. Staff

Unless otherwise provided by the Act, the statutes or regulations, the Vice-Chancellor may:

- (a) appoint any and all staff of the University;
- (b) make honorary appointments; and
- (c) manage and administer the conduct of all, or any class of, staff or honorary appointees.

9. Research conduct

- (1) The Vice-Chancellor must, in consultation with the Board, set a University code for research conduct applicable to staff, students, honorary appointees and visitors guided by the Australian Code for the Responsible Conduct of Research.
- (2) The Vice-Chancellor may institute disciplinary action against staff for breaches of the University code or policies for conduct of research.
- (3) The Vice-Chancellor must refer findings of student breaches of the University code for conduct of research in the manner prescribed by regulations, policies or procedures for student misconduct.
- (4) Proceedings into allegations of breaches of the University code for conduct of research begun and not completed before the commencement of this regulation must continue to be dealt with in accordance with the University statutes and University regulations as in force immediately before the commencement of this regulation.
- (5) For the avoidance of doubt, any proceedings under (4) are not completed until appeal rights have been exhausted and appeals finally determined.

10. University holidays

- (1) The Vice-Chancellor may set the days to be observed as standard University holidays.
- (2) The Vice-Chancellor may set additional days to be observed as University holidays.

11. Academic year

The Vice-Chancellor, in consultation with the Academic Registrar and Board President, may set or amend the academic year or any periods of the academic year for the University or any faculty including:

- (a) admission periods;
- (b) teaching or non-teaching periods;
- (c) examination periods; and
- (d) dates for the final release of results.

12. Colours of academic dress

The Vice-Chancellor may set by publication on the University website, the academic colours of academic dress for faculties, disciplines, and degrees.

PART 4 – PROPERTY AND ACCESS

13. Intellectual property

- (1) The Vice-Chancellor may exercise a power of attorney to execute any document and do any act required of a creator or creators of intellectual property to enable the University to:
 - (a) meet legal obligations including those under University legislation; and
 - (b) protect rights to intellectual property generally.
- (2) The Vice-Chancellor must set principles for management and administration of intellectual property including:
 - (a) its ownership, protection, enforcement, defence, licensing, assignment and use;
 - (b) its disclosure, development, security and commercial exploitation;
 - (c) the apportionment of proceeds of commercialisation; and

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(d) obligations and rights of creators and other relevant persons or bodies.

14. Trusts

The Vice-Chancellor must report, at least annually, to Council on the performance of each trust against its obligations.

15. University activities, premises and facilities

- (1) The Vice-Chancellor may set terms and conditions for:
 - (a) using University premises and facilities; or
 - (b) participating in University activities.
- (2) The terms and conditions in (1) may apply to all or any class of persons or students.
- (3) The Vice-Chancellor may exclude or otherwise penalise all or any class of persons from using University premises or facilities or participating in University activities who breach the terms and conditions.

PART 5 – COURSES, SUBJECTS AND STUDENTS

16. Handbook

The Vice-Chancellor must ensure the University handbook is published on the University website annually.

17. Quotas

- (1) The Vice-Chancellor may set a quota on entry of persons or any class of persons to any course.
- (2) Nothing in (1) allows a person to be admitted to, or enrol in, a course without meeting the University minimum entry requirements or the course minimum entry requirements set by the Board.
- (3) If a quota is set, the dean of the relevant faculty must allow entry to a course based on academic merit.

18. Enrolment and re-enrolment

In accordance with the statute and regulations, the Vice-Chancellor may set for all, or any class of, students:

- (a) the manner, including dates, terms and conditions, for enrolment and re-enrolment in a course or subject;
- (b) circumstances for, and duration of, leave from study for all or any class of students;
- (c) rights for all or any class of students whilst on leave from study for:
 - (i) using University premises and facilities; and
 - (ii) participating in University activities;
- (d) the circumstances for, and duration of, deferral of commencement of a course.

19. Disestablishment of courses and subjects

- (1) The Vice-Chancellor, as he or she sees fit or on the recommendation of the Board, may disestablish a course or subject.
- (2) The Board's recommendation in (1) must be based on the standard of academic quality of the course or subject.
- (3) The Vice-Chancellor must not disestablish a course or subject unless he or she is satisfied that students in the course have an opportunity to complete the course as accredited by the Board.
- (4) If the Vice-Chancellor disestablishes a course or subject the dean of the relevant faculty must:

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- (a) stop persons entering or enrolling into the course or subject; and
 - (b) make the necessary transitional arrangements.
- (5) Nothing in this section:
- (a) prevents a dean cancelling a course in the manner set by the Board; or
 - (b) permits the Vice-Chancellor to disestablish an academic discipline as a result of disestablishing one or more courses or subjects.

20. Suspension and exclusion of students

In accordance with the statute and regulations, the Vice-Chancellor may suspend and exclude students who commit general or high risk misconduct.

21. Scholarships and prizes

The Vice-Chancellor is responsible for the administration and management of scholarships and prizes.

22. Alumni Bodies

The Vice-Chancellor may set requirements for the recognition of, and recognise bodies as, University alumni bodies.

PART 6 – FEES AND PENALTIES

23. Fees and penalties

- (1) The Vice-Chancellor may set fees for any matter relating to the University, including fees for the use of premises, facilities and services; fees for participating in University activities; application fees, enrolment or re-enrolment fees; tuition fees; student services and amenities fees; and administration fees.
- (2) The Vice-Chancellor may set penalties in relation to:
 - (a) any unpaid fees;
 - (b) unpaid student loans;
 - (c) breach of terms and conditions set in 15(1);
 - (d) failure to enrol or re-enrol in the manner set under 18.
- (3) Fees and fines set under (1) or (2) must be published on the University website.
- (4) The Vice-Chancellor may waive part or all of a fee or fine for any person or student or a specified class of persons or students.

PART 7 – POLICIES AND PROCEDURES

24. Policies and procedures

The Vice-Chancellor may make policies and procedures for, or with respect to, any of his or her powers, functions and duties.