

VICE-CHANCELLORSHIP STATUTE 2002

The Council of The Australian National University makes the following Statute under section 50 of the *Australian National University Act 1991*.

Dated 22 April 2002.

The Council of The Australian National University

1. Name of Statute

1.1 This Statute is the *Vice-Chancellorship Statute 2002*.

2. Tenure of office

2.1 Subject to section 3 the Vice-Chancellor holds office for such period as is provided in the instrument of appointment.

3. Resignation

3.1 The Vice-Chancellor may resign office by writing to the Council delivered to the Chancellor.

4. Vice-Chancellor to be executive officer of University

4.1 The Vice-Chancellor is the executive officer of the University and, except as directed by the Council, is *ex officio* a member of every Faculty, Board and Committee within the University.

4.2 However, the Vice-Chancellor must not be a member of a committee constituted in accordance with Rules made under the *Discipline Statute*.

5. Appointment as President

5.1 The Council may appoint the Vice-Chancellor to be President of the University.

6 Powers and duties

6.1 Subject to the Statutes and to any resolution of Council, the duties of the Vice-Chancellor as executive officer of the University are to control and manage:

- (a) the affairs and concerns of the University; and
- (b) the real and personal property at any time vested in or acquired by the University including the disposal of that property.

6.2 The Vice-Chancellor has power to do all things that are necessary or convenient to be done for, or in connection with, the performance of the Vice-Chancellor's duties.

7 Power of Vice-Chancellor to appoint persons to act in office

7.1 If a person holding an office is absent or if there is a vacancy in the office, the Vice-Chancellor may appoint some other person to exercise the powers, perform the functions and discharge the duties of that office during the absence or vacancy.

7.2 However, if other provision is made by law for the appointment of a person to exercise the powers, perform the functions and discharge the duties of an office during the absence of the holder of the office or while the office is vacant, subsection 7.1 only authorises the Vice-Chancellor to make an appointment for that office until an appointment is made under that other provision.

7.3 If the Vice-Chancellor appoints a person to exercise the powers, perform the functions and discharge the duties of the office of a Deputy Vice-Chancellor during the absence of the holder of the office or while the office is vacant, the Vice-Chancellor must notify the Council of that appointment at the Council's next meeting after the appointment is made.

7.4 In subsections 7.1 and 7.2, *office* includes each office within the University.

8 Powers of Vice-Chancellor in relation to intellectual property

8.1 The Vice-Chancellor may:

- (a) act for and on behalf of the University in the administration of any right or interest of the University in any intellectual property; and
- (b) appoint such persons in Australia or any place outside Australia as he or she thinks fit, and subject to such terms and conditions as are specified in the instrument of appointment, as agents or attorneys to act for and on behalf of the University in the administration of any such right or interest.

8.2 In this section:

administration, in relation to a right or interest in intellectual property, means the doing of any act for the purpose of obtaining, maintaining, defending or enforcing that right or interest;

intellectual property means patent, trade marks, industrial designs, copyright, public lending right or any other form of intellectual property that is recognised under a law of the Commonwealth or of another country.

9 Rules and Orders: Vice-Chancellor's functions and powers

9.1 The Council may make Rules nominating a person to perform particular functions, and to exercise particular powers, of the Vice-Chancellor.

9.2 The Vice-Chancellor may, by Order, nominate a person to perform particular functions, and exercise particular powers (other than the power to make Orders under this subsection), of the Vice-Chancellor.

9.3 Subject to any direction by the Vice-Chancellor and to any limitation imposed or condition contained in the relevant Rules or Orders, a person nominated under subsection 9.1 or 9.2 for a particular function or power performs the function or exercises the power as if the person were the Vice-Chancellor.

9.4 Nothing in subsection 9.1 or 9.2 prevents the Vice-Chancellor performing any of the functions, or exercising any of the powers, mentioned in particular Rules or Orders made under one of those subsections.

10 Transitional

10.1 Any Rules or appointment made, or anything done by the Vice-Chancellor, under the *Vice-Chancellorship Statute 1999*, continues to have, under this Statute, the effect that it would have had if the *Vice-Chancellorship Statute 1999* remained in force, and may be dealt with as if it were made or done under this Statute.

11 Repeal

11.1 The *Vice-Chancellorship Statute 1999*, as amended and in force immediately before the commencement of this Statute, is repealed.