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### EDITH COWAN UNIVERSITY ACT 1984

It is hereby notified that the Governor in Executive Council, acting under the provisions of section 27 of the *Edith Cowan University Act 1984*, has approved Edith Cowan University *Amending Statute No. 4 of 2023* as set out in the attached schedule.

Dated 31 October 2023.

Hon DR TONY BUTI MLA, Minister for Education.  
NICK HAGLEY, Clerk of the Executive Council.

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### EDITH COWAN UNIVERSITY ACT 1984

Edith Cowan University  
Amending Statute No 4 of 2023

The University Statutes are hereby amended as follows—

1. This Amending Statute comes into operation on the day it is published in the *Government Gazette*.
2. Statute No 20 is repealed.
3. Statute No 21 is repealed.
4. Statute No 20 as set out in the attached Schedule is enacted.

The Common Seal of Edith Cowan University was affixed by resolution of the Council in the presence of—

Professor STEVE CHAPMAN, Vice Chancellor.  
Ms JOANNE QUINN, Authorising Sealing Officer.

Dated this 1st day of August 2023.

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### EDITH COWAN UNIVERSITY ACT 1984

UNIVERSITY STATUTE NO. 20—THE ECU SOUTH WEST CAMPUS (BUNBURY) ADVISORY BOARD

#### Part 1—Preliminary

This Statute is made by the Council of the University under the powers conferred on it by sections 20(2) and 26 of the *Edith Cowan University Act 1984*.

##### 1.1 Short title

This is *University Statute No. 20—The ECU South West Campus (Bunbury) Advisory Board*.

##### 1.2 Commencement

This Statute takes effect on the day after it is published in the *Government Gazette*.

##### 1.3 Purpose

The purpose of this Statute is to provide for the membership and operation of the Advisory Board.

##### 1.4 Terms used

(1) In this Statute, unless the contrary intention appears—

**Act** means the *Edith Cowan University Act 1984*;

**Advisory Board** means the ECU South West Campus (Bunbury) Advisory Board referred to in section 20(1) of the Act;

**Campus** means the ECU South West Campus (Bunbury);

**Chairperson** means the chairperson of the Advisory Board appointed by the Council under section 2.1(2);

**Commencement Date** means the date that this Statute takes effect under section 1.2;

**committee** means a committee of the Advisory Board established under section 3.5;

**community member** means a person from the Region who is not a member of staff nor an enrolled student of the University;

**Head of Campus** means the officer designated as head of the Campus by the Vice-Chancellor;

**Membership Policy** means that part of the Council's membership policy, as amended from time to time, that deals with the appointment of community members to the Advisory Board;

**previous Statute 20** means *University Statute 20: The ECU South West Campus (Bunbury) Advisory Board*, published in the *Government Gazette* on 14 October 1988, and includes the rules made under that Statute;

**previous Statute 21** means *University Statute 21: Election of Academic and Salaried Staff and Enrolled Students to the Bunbury Campus Advisory Board*, published in the *Government Gazette* on 14 October 1988, and includes the rules made under that Statute; and

**Region** means the south west region of Western Australia.

(2) Unless otherwise defined in subsection (1), a term used in this Statute has the meaning given in the Act.

## **Part 2—Membership**

### **2.1 Composition of the Advisory Board**

(1) The Advisory Board consists of the following members—

- (a) a minimum of 5 and a maximum of 10 community members appointed by the Council;
- (b) the Vice-Chancellor, or the Vice-Chancellor's nominee;
- (c) the Head of Campus;
- (d) one member of the academic staff (other than the Head of Campus) whose principal location of employment is the Campus, appointed by the Council;
- (e) one member of the non-academic salaried staff of the University whose principal location of employment is the Campus, appointed by the Council; and
- (f) an enrolled student whose principal location of study is the Campus, appointed by the Council.

(2) The Council is to appoint the Chairperson from among the community members appointed under section 2.1(1)(a).

(3) The Advisory Board is to appoint the Deputy Chairperson from among the other community members appointed under section 2.1(1)(a).

### **2.2 Nomination processes**

(1) For each vacancy in the community member category under section 2.1(a), the University is to have regard to the Membership Policy.

(2) For each vacancy in the membership categories under section 2.1(1)(d), (e) and (f)—

- (a) the University Secretary is to call for expressions of interest from eligible members of the academic staff, eligible members of the professional staff, enrolled students or any combination thereof (as the case may be);
- (b) the call for expressions of interest is to be made—
  - (i) within 3 months following the occurrence of a casual vacancy; or
  - (ii) at least 3 months before the expiry of the term of office of the current occupant or occupants;
- (c) the Governance and Nominations Committee is to consider the expressions of interest that have been received and is to recommend to the Council which candidate or candidates, if any, should be appointed; and
- (d) after considering the recommendation of the Governance and Nominations Committee, the Council—
  - (i) is to appoint a member of the academic staff, or a member of the professional staff, or an enrolled student, or any combination thereof (as the case may be) to the Advisory Board; or
  - (ii) is to decline to make an appointment to the relevant positions and is to request that the University Secretary call for further expressions of interest.

(3) The Vice-Chancellor is to prepare and publish procedures for filling staff or student vacancies on the Advisory Board that includes—

- (a) the means of calling for expressions of interest;
- (b) the content and form of submissions of expressions of interest;
- (c) the timing for the key components of the process for identifying and appointing candidates; and
- (d) any other procedural matters to provide for the filling of a vacancy for a member of the academic staff, a member of the professional staff, or an enrolled student.

### **2.3 Term of office**

(1) Subject to section 2.4—

- (a) a community member appointed under section 2.1(1)(a) holds office for the term, not exceeding 3 years, that is specified in their notice of appointment;
- (b) the Vice-Chancellor's nominee under section 2.1(1)(b) holds office for the term specified in the written nomination unless the nomination is earlier revoked by the Vice-Chancellor;
- (c) a member of the academic staff appointed under section 2.1(1)(d) holds office for the term, not exceeding 3 years, that is specified in their notice of appointment;
- (d) a member of the professional staff appointed under section 2.1(1)(e) holds office for the term, not exceeding 3 years, that is specified in their notice of appointment;
- (e) an enrolled student appointed under section 2.1(1)(f) holds office for the term, not exceeding one year, that is specified in their notice of appointment;

- (f) a Chairperson appointed under section 2.1(2) holds office for the term, not exceeding 3 years, that is specified in their notice of appointment; and
  - (g) a Deputy Chairperson appointed under section 2.1(3) holds office, for the term, not exceeding 3 years, that is specified in their notice of appointment.
- (2) All retiring members are, unless otherwise disqualified, eligible for reappointment.
- (3) However—
- (a) a community member appointed under section 2.1(1)(a) cannot be a member for more than 9 years in any 12-year period;
  - (b) a member of the academic staff appointed under section 2.1(1)(d) cannot be a member for more than 9 years in any 12-year period;
  - (c) a member of the professional staff appointed under section 2.1(1)(d) cannot be a member for more than 9 years in any 12-year period; and
  - (d) an enrolled student appointed under section 2.1(1)(f) cannot be a member for more than 3 years in any 4-year period.

## **2.4 Vacation of office**

The office of a member becomes vacant if—

- (a) the member resigns their office by written notice to the University Secretary;
- (b) the member is a person in respect of whom an administration order is in force under the *Guardianship and Administration Act 1990* Part 6;
- (c) the member is, according to the *Interpretation Act 1984*, section 13D, a bankrupt or a person whose affairs are under insolvency laws;
- (d) the member is convicted of an indictable offence;
- (e) the member is removed from office by the Council under section 11A of the Act;
- (f) the member is, or becomes, disqualified from managing corporations under the *Corporations Act 2001* (Cth) Part 2D.6;
- (g) the member is absent without leave of the Advisory Board from 3 consecutive meetings of the Advisory Board;
- (h) the member ceases to hold any qualifications required for becoming or being a member; or
- (i) the member dies.

## **2.5 Transitional**

A person who was a member of the Advisory Board immediately before the Commencement Date is to continue as a member until—

- (a) their term of office expires; or
- (b) their office becomes vacant under section 2.4,

whichever occurs first.

# **Part 3—Functions and meetings**

## **3.1 Functions**

(1) The functions of the Advisory Board are set out in section 20(3) of the Act.

(2) Other functions of the Advisory Board are—

- (a) to provide advice to the Council or the University, as appropriate, on—
  - (i) building and strengthening industry partnerships to benefit the Region, students and the University's research imperatives;
  - (ii) emerging trends, opportunities and developments including population, professional, economic and specific industry needs which may be relevant to course offerings in the Region;
  - (iii) increasing awareness and understanding of the University and its ability to contribute to the Region's standing through the advancement of the Region's education, training and research profile;
  - (iv) strategies to ensure that prospective students are aware that the University offers quality tertiary education within the Region, and to strengthen the University's impact through opportunities within and outside of the Region;
  - (v) potential sources of scholarships and industry funding for research or strategic projects; and
  - (vi) enhancing community engagement and outreach activities of the Campus; and
- (b) to perform any other functions relating to the Campus or the Region determined by the Council.

(3) The Advisory Board, and its members individually, are to act as advocates for the University in the broad community, with relevant government agencies and with other external organisations.

## **3.2 Oversight**

The oversight role of the Council is set out in section 20(4) of the Act.

## **3.3 Reporting**

- (1) The Advisory Board is to report directly to the Council.
- (2) The Chairperson is to provide to the Council reports on the Advisory Board activities—
  - (a) at least once each calendar year;
  - (b) as and when requested by the Council; and
  - (c) as and when resolved by the Advisory Board.

### **3.4 Meeting procedures and quorum**

- (1) Subject to this Statute, the Advisory Board may—
  - (a) regulate its proceedings in whatever manner it sees fit; and
  - (b) adopt meeting procedures.
- (2) At a meeting of the Advisory Board—
  - (a) not less than one half of the total number of members for the time being constitutes a quorum; and
  - (b) a resolution cannot be made in the absence of a quorum.

### **3.5 Establishment of committees**

- (1) The Advisory Board may, at any time—
  - (a) establish one or more committees, for general or specific purposes; and
  - (b) require a committee—
    - (i) to advise the Advisory Board in respect of any matter or class of matters; and
    - (ii) to report on its activities to the Advisory Board, at the times and in the manner specified by the Advisory Board.
- (2) The members of a committee are to be determined by the Advisory Board but, in respect of each committee—
  - (a) at least half of the members must be members of the Advisory Board; and
  - (b) unless otherwise resolved by the Advisory Board, the Head of Campus must be a member.

### **3.6 Conflicts of interest**

- (1) The Advisory Board must adopt procedures for identifying and dealing with any conflict of interest of a member.
- (2) The procedures—
  - (a) must be informed by the relevant provisions in the Act, Schedule 1, Division 2 and in the Council Standing Orders; and
  - (b) may be included in the Advisory Board's meeting procedures (if any) adopted under section 3.4(1).

## **Part 4—Miscellaneous**

### **4.1 Rules**

The Council may make rules, not inconsistent with the Act or any Statute—

- (a) to regulate, or provide for the regulation of, the Advisory Board; or
- (b) to carry out or give effect to this Statute.

### **4.2 Repealed**

Previous Statute 20 and previous Statute 21 are repealed.