



Charles Sturt University

Governance (Executive Committee) Rule 2006 No. 4

A Rule for the purpose of establishing an Executive Committee and conferring on that Committee certain functions of the Council.



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Division 1 Introduction

1 Name of Rule

- (1) This Rule is the *Governance (Executive Committee) Rule 2005 No.4*.
- (2) This Rule may be referred to as the *Terms of Reference – Executive Committee*.

2 Commencement

This Rule commences on 6 June 2006 [CNL06/36].

3 Purpose

This Rule is enacted to establish the Executive Committee and to confer on that Committee certain functions of the Council under the Act.

4 Authority

This Rule is made pursuant to authority granted to the Council under clause 4 of Schedule 1 of the Act, section 20 and 32 of the Act.

Notes

Clause 4 of Schedule 1 of the Act states that the Council may establish committees to assist it in the exercise of its functions and may delegate to the Committee, under section 20 of the Act, all or any of its functions. Section 32 of the Act states that the Council may make rules with respect to the functions, processes and procedures of committees of the Council.

5 Definitions

In this Rule:

Act means the *Charles Sturt University Act 1989*.

By-law means the *Charles Sturt University By-law 2005*.

Committee means the Executive Committee established under this Rule in accordance with clause 4 of Schedule 1 of the Act.

Committee of the Council means a committee established under a Rule of the Council under section 4 of Schedule 1 of the Act.

Council means the University Council established under section 9 of the Act.

external persons has the same meaning as set out in section 9 (10) of the Act.

Notes

Section 9 (10) of the Act defines an external person as persons who are not members of the academic or general staff of the University or undergraduate or postgraduate students of the University.

Secretary means the University Secretary appointed under the By-law.

6 Notes and Headings

- (1) The notes in the text of this Rule do not form part of this Rule.
- (2) Headings do not form part of this Rule.

Division 2 Committee

7 Establishment of Committee

There is an Executive Committee.

8 Terms of Reference

- (1) The principal function of the Committee is to act for and on behalf of the Council, between scheduled meetings of the Council, in the control and management of the affairs of the University.
- (2) Except as provided in sub-clause 8 (6), the Committee has and may exercise all of the functions of the Council where:
 - (a) a motion requires urgent approval, and
 - (b) the motion should not be deferred to the next meeting of the Council.
- (3) Despite sub-clause (2), the Committee has and may exercise the following functions, subject to such terms and conditions as may be approved by the Committee, on behalf of the Council:
 - (a) approving in the name of the Council the admission of graduands to an award of the University and the affixing of the Common Seal of the University to a testamur certifying as to the same; and
 - (b) approving in the name of the Council the issue of a replacement testamur and the affixing of the Common Seal of the University to the replacement testamur certifying as to the same; and
 - (c) where necessary, ratifying in the name of the Council the admission of graduands to an award of the University and the affixation of the Common Seal of the University to a testamur certifying as to the same.
- (4) A member of the Committee may, during the debate of a matter at a meeting, move as a procedural motion that the matter be referred to the Council. Where a procedural motion is moved under this sub-clause, the Chair shall immediately put the motion without the need for a seconder.
- (5) Where a motion under sub-clause (4) is carried, the matter shall be referred to the next meeting of the Council. Where the motion is lost, the substantive motion shall be determined by a vote of the Committee.

- (6) The Committee may not exercise the following functions of the Council:
- (a) approval of expenditure on any single item in excess of \$10 million, or
 - (b) approval of fees, charges or fines, or
 - (c) approval of the appointment or removal of a member of the Council, the Academic Senate or a Committee of the Council, or
 - (d) approval of a delegation of any function of the Council under section 20 of the Act, or
 - (e) approval, or amendment, of a Rule approved by the Council.
- (7) The Committee shall exercise such other functions (including a function specified in sub-clause 8 (6)) as may be conferred on the Committee under a resolution of the Council.
- (8) In exercising the functions of the Council, the Committee may:
- (a) require the attendance of any employee of the University at a meeting of the Committee, and
 - (b) require regular or ad hoc reports from the University as determined by the Committee from time to time.
- (9) The Committee has such other functions as may be necessary to enable it to exercise the functions specified in sub-clause (1) to (8).

9 Membership

The Committee shall consist of four members being:

- (a) the Chancellor, who shall be Chair, and
- (b) the Deputy Chancellor, who shall be Deputy Chair, and
- (c) the Vice Chancellor, and
- (d) the Chair, Academic Senate.

10 Meetings

- (1) The Committee shall meet as required from time to time.
- (2) Ordinary meetings of the Committee will be by flying minute in accordance with the *Governance (Conduct of Meetings) Rule 2007*.

Historical notes

Table of amendments

Amendment	Date	Short Description
cl. 8 (2)		Remove references to routine functions.
cl. 8(3)		Delete clause and replace with provisions allowing the Committee to admit graduands to degrees and affix the Common Seal to testamurs and related functions.
cl.8 (5)		Increase delegated limit to \$10million Delete prohibition on approval of annual budget, annual report and exercise of primary responsibilities of the Council
cl.9		Reduce membership from 7 members to 4
cl.10		Remove requirement for scheduled meetings and allow committee to meet by flying minute