

A revised Statute and new Rules for the ECU South West Campus (Bunbury) Advisory Board

Background

University Statute No. 20 Bunbury Campus Advisory Board has been under review for some years, having last been amended in 2003. The current Statute sets out a range of functions and duties for the Advisory Board, however a number of the matters on which the Advisory Board is to provide advice to Council are management functions.

Earlier attempts to amend the functions set out in Statute 20 were frustrated by the management role that was ascribed to the Advisory Board in the *Edith Cowan University Act 1984*, which provided that the Advisory Board was responsible to the Council for (among other things) the control and management of the affairs and concerns of the South West Campus, and the property of the University held at, or for the purposes of, the South West Campus.

The management of the Campus has evolved over time and has been subsumed into the management structures of the University, hence the management aspects that are currently prescribed for the Advisory Board in Statute 20 are no longer appropriate nor practicable. The provisions in the ECU Act were amended with effect from 2 January 2017, thus allowing a review of Statute 20.

Proposed revisions to Statute 20 and new Rules

Following the changes to the ECU Act, the scope of the Advisory Board's role has been reviewed. In consultation held to date, comparisons have been drawn between the Advisory Board for the Campus, and the Advisory Boards/Consultative Committees that currently operate in support of each of the Schools of the University, or of key discipline areas.

Revised Functions and Duties have been proposed that task the Advisory Board with providing advice that will contribute to building and strengthening industry partnerships; strengthening the University's profile in the South West; identifying potential sources of scholarships or industry funding; and enhancing community engagement. The Advisory Board would continue to report to Council, but would have the flexibility to provide advice to Council, the Vice-Chancellor or the Dean of the South West Campus, as appropriate.

A set of Rules has been drafted in support of the Statute.

Feedback invited

Comments, queries or suggestions with respect to the draft revised Statute and new Rules are invited from members of the University community. Please direct these by email as follows:

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Deadline: close of business on Thursday 13 June 2019

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30 May 2019

Statute 20: *The ECU South West Campus (Bunbury) Advisory Board*

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1. Purpose

The purpose of this Statute is to provide for the effective working of the ECU South West Campus (Bunbury) Advisory Board.

2. ECU South West Campus (Bunbury) Advisory Board Rules

Council will make *ECU South West Campus (Bunbury) Advisory Board Rules* (“the Rules”) under this Statute which:

- a) will prescribe any matters that this Statute expressly requires be prescribed in the Rules; and
- b) subject to this Statute, may prescribe any other matters deemed necessary or desirable for the functioning of the ECU South West Campus (Bunbury) Advisory Board under this Statute.

3. Definitions

In this Statute any capitalised term that is defined in the *Edith Cowan University Act 1984 (WA)* has the meaning given to the term in the Act, otherwise the following definitions apply to terms used in this Statute and any Rule made pursuant to this Statute:

“**Advisory Board**” means the ECU South West Campus (Bunbury) Advisory Board constituted pursuant to section 20(1) of the Act.

“**Campus**” means the ECU South West Campus (Bunbury).

“**Campus Dean**” means the senior University Officer with management responsibility for the Campus, or alternative position as specified in the Rules.

“**Chairperson**” means the Chairperson of the Advisory Board.

“**Community Member**” means a person from the Region who is not a member of staff nor an enrolled student of the University. A Community Member may also be a member of the Council.

“**Region**” means the South West region of Western Australia.

4. Functions and Duties of the Advisory Board

- 4.1. The Advisory Board will provide the Council with strategic advice in relation to the Campus, and to education matters relevant to the needs of the Region.
- 4.2. The Advisory Board will provide advice to Council, the Vice-Chancellor or Campus Dean, as appropriate, on:
 - a) building and strengthening industry partnerships to benefit the Region, students and the University's research imperatives;
 - b) emerging trends, opportunities and developments including population, professional, economic and specific industry needs which may be relevant to course offerings in the Region;
 - c) 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;
 - d) strategies to ensure that prospective students are aware that the University offers quality tertiary education within their Region;
 - e) potential sources of scholarships or industry funding for research and/or strategic projects;
 - f) enhancing community engagement and outreach activities of the Campus;
 - g) advocating for the University in the broader community, with organisations and with industry to maximise the benefits to the Region of having a University located in the Region; and
 - h) any other matters referred to it by Council, the Vice-Chancellor or Campus Dean.
- 4.3. The Advisory Board as a whole and its members individually will have a general responsibility to facilitate the strengthening of the relationship between the University and the Region by:
 - a) advocating for the University in the broader community; and
 - b) bringing to the attention of the Vice-Chancellor or Campus Dean (as appropriate) expectations or concerns prevailing in the broader community regarding the University or the Campus.

5. Advisory Board composition

- 5.1. Subject to this section 5, the composition of the Advisory Board will be prescribed in the Rules.
- 5.2. The composition of the Advisory Board will include, but will not be limited to:
 - a) Community Members who, in the opinion of Council, possess skills and attributes that will assist the Advisory Board to undertake its functions and duties;
 - b) the Vice-Chancellor or nominee; and
 - c) Campus Dean or nominee.
- 5.3. The Chairperson will be appointed by Council and will be a Community Member.
- 5.4. The Deputy Chairperson will be elected by the members of the Advisory Board and will be a Community Member.
- 5.5. Subject to sub-sections 5.6 and 5.7 below, additional positions in the composition of the Advisory Board may be prescribed in the Rules.

- 5.6. The number of positions allocated for Community Members will constitute at least half of the total number of positions on the Advisory Board.
- 5.7. The total number of positions on the Advisory Board will not exceed 16.
- 5.8. Subject to sub-sections 5.2 to 5.7 above, the
 - a) number;
 - b) method of appointment; and
 - c) terms of office
 of members of the Advisory Board will be prescribed in the Rules.

6. Reporting Arrangements

- 6.1. The Advisory Board reports directly to Council.
- 6.2. The Chairperson will provide reports to Council on Advisory Board activities as follows:
 - a) on request by resolution of Council;
 - b) as resolved by the Advisory Board;
 - c) at least twice per calendar year.
- 6.3. Subject to this Statute, additional reporting may be prescribed in the Rules.

7. Meetings

Subject to this Statute, the proceedings of the Advisory Board may be set out in the Rules.

8. Committees

Subject to this Statute, the establishment and composition of Committees of the Advisory Board may be set out in the Rules.

9. Transitional

Any person holding a position as a member of the Advisory Board immediately prior to the day that this Statute comes into effect will continue as a member until:

- a) the expiry of the appointed or elected term; or
 - b) the person ceases to be a member for any other reason,
- whichever occurs sooner.

Revision History:

Action	Publication
Amending Statute No. X of 2018	Government Gazette - <to be inserted>
Amending Statute No. 1 of 2002	Government Gazette - 11 February 2003
Amending Statute No. 2 of 1998	Government Gazette - 19 January 1999
Amending Statute No. 3 of 1992	Government Gazette - 19 January 1993
Amending Statute No. 3 of 1991	
Published	Government Gazette - 14 October 1988

Rules pursuant to Statute 20: ECU South West Campus (Bunbury) Advisory Board

The ECU South West Campus (Bunbury) Advisory Board: Rules

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1. The ECU South West Campus (Bunbury) Advisory Board Rules

These Rules are made pursuant to *University Statute No. 20 – The ECU South West Campus (Bunbury) Advisory Board*.

2. Definitions

2.1. In these Rules any capitalised term that is defined:

- a) in the *Edith Cowan University Act 1984 (WA)* has the meaning given to the term in the Act;
- b) in *Statute No. 20 – The ECU South West Campus (Bunbury) Advisory Board* has the meaning given to the term in that Statute.

2.2. The following definition applies in these Rules:

“**Campus Dean**” means the Dean of the South West Campus.

3. Composition and Terms of Office

3.1. The composition and terms of office of the Advisory Board are as follows:

Membership category	Term of office
a) 10 Community Members appointed by Council: <ol style="list-style-type: none">i. who, in the opinion of Council, possess skills and attributes that will assist the Advisory Board to undertake its functions and duties; andii. of whom one will be appointed by Council to the position of Chairperson of the Advisory Board.	Subject to rule 3.4, members appointed under this category will hold office for a term not exceeding three years as specified in Council’s resolution of appointment.

b) The Vice-Chancellor, or nominee.	A member appointed under this category will hold office for the member's term of office as Vice-Chancellor, or as is specified in the notice of nomination, as the case may be.
c) The Campus Dean, or nominee.	A member appointed under this category will hold office for the member's term of office as Campus Dean, or as is specified in the notice of nomination, as the case may be.
d) Up to four members, who may be members of staff or students of the Campus, co-opted by the Advisory Board.	Subject to rule 3.4, members appointed under this category will hold office for a term not exceeding three years as specified in the Advisory Board's resolution of co-option.

- 3.2. Appointments of members under membership category (a) are subject to the applicable Council nominations policy as amended from time to time. The nominations process will include consultation with the Advisory Board.
- 3.3. The Advisory Board will elect a member from membership category (a) to be the Deputy Chairperson of the Advisory Board for a term of office not exceeding three years, or for the term of the member's current appointment to the Advisory Board, whichever is the lesser.
- 3.4. An Advisory Board member who is appointed under membership category (a) or co-opted under membership category (d) may not serve on the Advisory Board for more than nine consecutive years (equivalent of three full terms) in any ten-year period.

4. Observer Participants, Accredited Observers and other attendees

- 4.1. Council may appoint suitable individuals as Observer Participants or Accredited Observers to the Advisory Board for terms of office not exceeding three years.
- 4.2. Other persons may be invited to attend meetings of the Advisory Board as required (and approved by the Chairperson) to assist the Advisory Board with its business.

5. Qualifications for Advisory Board Membership

- 5.1. Should any person appointed under membership category 3.1(a) or 3.1(d) fail to attend three consecutive meetings of the Advisory Board without prior approval from the Advisory Board for leave of absence, that person's membership will be terminated.
- 5.2. A person will not be qualified to become or remain a member of the Advisory Board if that person:
 - a) becomes permanently incapable of performing the duties of an Advisory Board Member;
 - b) is an undischarged bankrupt or has their affairs under liquidation by arrangement with creditors;
 - c) is convicted of an indictable offence;
 - d) is, or becomes, disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001* (Commonwealth);
 - e) ceases to hold any qualification required pursuant to Rule 3.1 for that person's Advisory Board membership.

6. Resignation from the Advisory Board

The resignation of a member of the Advisory Board:

- a) appointed by Council under membership category 3.1(a) will be submitted in writing to the University Secretary and will take effect on the day of its receipt; or
- b) co-opted under membership category 3.1(d) will be submitted in writing to the Chairperson of the Advisory Board and will take effect on the day of its receipt.

7. Casual vacancies

If a casual vacancy occurs in the office of a member appointed under membership category 3.1(a) or co-opted under membership category 3.1(d), the vacancy will be filled in the same way as if that member's term of office had expired.

8. Meetings

- 8.1. Subject to these Rules, the Advisory Board may regulate its proceedings in such manner as it sees fit. The Advisory Board may adopt standing orders for this purpose.
- 8.2. The Advisory Board will adopt procedures for handling conflicts of interest on the part of members of the Advisory Board. Such procedures will be informed by those in the Council Standing Orders and may be included in standing orders adopted by the Advisory Board.
- 8.3. At a meeting of the Advisory Board:
 - a) not less than one half of the total number of members for the time being forms a quorum; and
 - b) resolutions will not be passed in the absence of a quorum.
- 8.4. No act or thing done by the Advisory Board is invalidated, prejudiced or affected by reason of any vacancy in the membership of the Advisory Board or any failure to appoint or elect any member of the Advisory Board, or any defect or irregularity in the appointment or election of any person purporting to be a member so long as a quorum of the Advisory Board remains.

9. Committees of the Advisory Board

- 9.1. The Advisory Board from time to time may:
 - a) appoint Committees either for general or specific purposes;
 - b) require a Committee so appointed to advise the Advisory Board in respect of any matter or class of matters;
 - c) require a Committee so appointed to report to the Advisory Board on its activities at such times and in such manner as the Advisory Board directs.
 - 9.2. The membership of a Committee appointed by the Advisory Board will, subject to this Rule, be determined by the Advisory Board. At least half of the members of a Committee appointed by the Advisory Board, including the Chairperson, will be members of the Advisory Board.
 - 9.3. The Campus Dean will be an *ex-officio* member of all Committees established by the Advisory Board except when specifically excluded by resolution of the Advisory Board.
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Approved by Council on <insert date> (resolution <insert #>)

For further information contact: The University Secretary
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