



University of Sydney Amendment (Academic Board) By-law 2003

under the

University of Sydney Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has approved the following By-law made by the Senate of the University of Sydney under the *University of Sydney Act 1989*.

ANDREW REFSHAUGE, M.P.,

Minister for Education

Explanatory note

The object of this By-law is to amend the *University of Sydney By-law 1999*:

- (a) to prescribe the Academic Board of the University as a body to which the Senate of the University may delegate its functions under section 17 of the *University of Sydney Act 1989 (the Act)*, and
- (b) to abolish the Academic Forum of the University, and
- (c) to make savings and transitional provision consequent on the above amendments (including providing for the holding of an election for the Academic Board within such time as will allow the results of the election to be declared on or before 31 December 2003, and the continuation in office up to and including 31 December 2003 of persons holding office as Chair, Deputy Chair or member of the Academic Board immediately before the commencement of this By-law), and
- (d) to define *academic staff member* and *student* for the purpose of applying rules made under the Act relating to election procedures for the Academic Board, and
- (e) to increase the number of academic staff and students that may be appointed to the Student Proctorial Panel of the University, and
- (f) to make other amendments of a minor or consequential nature.

This By-law is made under the *University of Sydney Act 1989*, including section 36 (the general power to make by-laws).

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1 Name of By-law

This By-law is the *University of Sydney Amendment (Academic Board) By-law 2003*.

2 Amendment of University of Sydney By-law 1999

The *University of Sydney By-law 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clauses 49, 50 and 51

Omit the clauses. Insert instead:

49 Academic Board

- (1) The Academic Board:
 - (a) is to comprise at least 18 members and (subject to this clause) to consist of the membership prescribed by rules made by the Senate, and
 - (b) is to have the functions prescribed by rules made by the Senate, and
 - (c) is to report directly to the Senate.
- (2) Of the members of the Academic Board:
 - (a) one is to be Chair and one is to be Deputy Chair, and
 - (b) at least 9 are to be academic staff, of whom at least 4 are to be professors, and at least 4 are not to be professors, and
 - (c) at least 9 are to be students.
- (3) For the purposes of section 17 of the Act, the Academic Board is prescribed as a body to which the Senate may delegate its functions.

50 Definitions applying to rules relating to election procedures for Academic Board

In any rule relating to election procedures for the Academic Board:

academic staff member means a person who is employed as a member (other than as a casual member) of the academic staff of the University by the University (including a person who is employed by the Australian Graduate School of Management under employment arrangements approved by the Senate) at the time for close of nominations for the election concerned, as specified in the notice of ballot for the election

student means a person (other than a person who is an academic staff member) who is enrolled as a student of the

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Schedule 1 Amendments

University (including the University's Australian Graduate School of Management faculty) at the time for close of nominations for the election concerned, as specified in the notice of ballot for the election.

51 Savings and transitional provisions

- (1) Any person who, immediately before the commencement of this clause, held office as:
 - (a) Chair of the Academic Board, or
 - (b) Deputy Chair of the Academic Board, or
 - (c) a member of the Academic Board,continues to hold office as such up to and including 31 December 2003.
- (2) Any person who, immediately before the commencement of this clause, held office as a member of the Student Proctorial Panel referred to in clause 64 (1) (b) or (c) (as in force immediately before that commencement) continues to hold office as such until successors are appointed:
 - (a) at the first meeting of the Academic Board in 2004, or
 - (b) at another time determined by the Senate under clause 64 (2).
- (3) Subclauses (1) and (2) are subject to any provision of this By-law and any Rule with respect to cessation of membership, or vacation of office, of the body concerned (other than because of expiry of term of office).
- (4) An election for the Academic Board must be held, in accordance with rules made by the Senate, within such time as will allow the results of the election to be declared on or before 31 December 2003.
- (5) A casual vacancy occurring in an office the term of which is continued under subclause (1) must be filled in accordance with rules made by the Senate as they were in force immediately before the commencement of this clause except that:
 - (a) the term of the office expires on 31 December 2003, and
 - (b) any rule that dictates which gender of person is to fill the vacancy does not apply.

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- (6) A casual vacancy occurring in an office of a member of the Student Proctorial Panel the term of which is continued under subclause (2) must be filled as follows:
- (a) in the case of an undergraduate student member, by appointment of a suitably qualified student nominated by the Chair of the Student Proctorial Panel after consultation with the Student Representative Council,
 - (b) in the case of a postgraduate student, by appointment of a suitably qualified student nominated by the Chair of the Student Proctorial Panel after consultation with the Sydney University Postgraduate Representative Association,
 - (c) in the case of a staff member, by a member of the academic staff nominated by the Chair of the Student Proctorial Panel after consultation with the Pro-Vice-Chancellor of the College from which the vacancy occurs.
- Note.** Under the *University of Sydney (Student Proctorial Panel) Rule 2002*, the academic staff members of the Student Proctorial Panel are to be drawn from each of the University's Colleges (being the College of Health Sciences, the College of Humanities and Social Sciences, and the College of Sciences and Technology).
- (7) The term of an office filled pursuant to subclause (6) expires on the day that the successors to the members of the Student Proctorial Panel whose offices are continued under subclause (2) are appointed (as referred to in subclause (2)).
- (8) Subclauses (2) and (7) are subject to clause 64 (5).

[2] Clause 54 Definitions

Omit the definition of *Academic Forum*.

[3] Clause 64 Student Proctorial Panel

Omit clause 64 (1) (b) and (c). Insert instead:

- (b) 9 members of the academic staff (of whom at least 4 are to be professors and at least 4 are not to be professors) appointed by and from the members of the Academic Board, and
- (c) 9 student members of the Academic Board appointed by and from the student members of the Academic Board.

[4] Clause 64 (2) and (4)

Omit “(as the case may be) the Academic Board or the Academic Forum” wherever occurring.

Insert instead “the Academic Board”.

[5] Clause 64 (7)

Omit “a Deputy Chair”. Insert instead “the Deputy Chair”.