

## Reserved Powers of Council

Council has the entire management of the University pursuant to section 10(1) of the *University of Canberra Act 1989* (ACT). Council has the power to delegate any of its functions, except the power to make statutes and the power to delegate. This instrument sets out the powers that Council chooses not to delegate and to reserve for itself. Amendments to the Reserved Powers of Council may only be made by resolution of Council. Council’s delegations to the Chancellor are provided at the end of this document.

### Council reserves its powers to:

	POWER	SOURCE
<b>Vice-Chancellor, Executive and Strategy</b>		
<b>VC</b>	Appoint a person to be the Vice-Chancellor and President of the University, and approve the term of employment and key provisions of the employment contract setting out remuneration and benefits, duties and obligations and termination provisions, subject to any statutes.	Section 25, UC Act
	Decide the key performance indicators for the Vice-Chancellor and annually assess performance against the agreed criteria.	Section 25(3), UC Act
	Approve any instrument setting out the terms and conditions of separation of the Vice-Chancellor, subject to relevant legal and contractual requirements and any relevant statutes.	Section 25(3), UC Act
<b>DVC and VP</b>	Appoint people to the Deputy Vice-Chancellor and Vice-President positions (including the establishment and disestablishment of those positions).	Section 10(3), UC Act
	Approve the recruitment, extension and termination of these positions, and the applicable remuneration and conditions of employment.	
<b>Plans, Policies and Strategies</b>	Approve, amend, review or revoke plans, policies and strategies reserved for Council in accordance with the Delegations of Authority Policy, including the Campus Master Plan(s) (for part or all of University land), University Strategic Plan and key performance indicators.	Section 10(1), UC Act
<b>Major Third-Party Providers</b>	Approve and authorise the execution of a contract with a <b>major*</b> third-party provider (non-research related), regarding: <ol style="list-style-type: none"> <li>1. transnational education agreements;</li> <li>2. domestic education partnership; and</li> <li>3. licensing agreements.</li> </ol> <p>*Major third-party providers are those partnerships assessed as “High Risk” in accordance with the Partnership Management Framework.</p>	Section 7(2), UC Act
<b>Major Projects</b>	Approve a major project** <p>**A major project is a project which has a financial value greater than \$10 million (aggregate) or where the overall project risk is rated as “high” or above).</p>	Section 7(2), UC Act
<b>Annual Reports</b>	Endorse the University’s annual reports for submission to the Minister and presentation to the Legislative Assembly.	Section 36, UC Act
<b>UC Logo</b>	Approve changes to the University’s primary trademarked logo.	Section 10(1), UC Act
<b>Investments</b>	Approve the investment of University money in excess of \$10 million.	Section 7(2)(l), UC Act
<b>Power of Attorney</b>	Appoint a power of attorney to execute contracts and deeds on behalf of the University.	Delegations of Authority AD.3.2

	POWER	SOURCE
<b>Council, its Members, Committees and Boards</b>		
<b>Chancellor and Deputy Chancellor</b>	Appoint the Chancellor and Deputy Chancellor of Council.	Section 24(1), UC Act Section 24A(1), UC Act
	Decide the term and conditions of the appointment of the Chancellor and Deputy Chancellor.	Section 24(2), UC Act Section 24A(2)
	End the appointment of the Chancellor or Deputy Chancellor, by special resolution, if it is considered in the best interests of the University.	Section 24(4), UC Act Section 24A(4), UC Act.
<b>Appointments</b>	Remove a Council member from office if a Council member fails to comply with their duties pursuant to the <i>University of Canberra Act 1989</i> (ACT), by two thirds resolution of Council.	Section 12A(4)
	Approve nominations to the ACT Chief Minister that the University proposes for ministerial appointments to Council.	Section 11A(1), UC Act
<b>Remuneration</b>	Approve the remuneration to be paid to a Council member, by two thirds resolution of Council.	Section 10(4), UC Act
<b>Committees</b>	Approve the establishment or disbandment of a Council committee (not including the Academic Board), including its terms of reference or charter.	Section 10(1), UC Act
	Appoint or terminate the members of a Council committee or board (not including the Academic Board).	
<b>Structure, Campus, and Organisation of the University</b>		
<b>Structure</b>	Decide the structure and organisation of the University, by: <ol style="list-style-type: none"> <li>1. deciding the faculties and other bodies within the University;</li> <li>2. approving any changes to the structure; and</li> <li>3. establishing or disestablishing a campus or faculty.</li> </ol>	Section 8, UC Act
<b>Physical Campus</b>	Decide the physical campus of the University, by approving: <ol style="list-style-type: none"> <li>1. the relocation of part of all of the University;</li> <li>2. the acquisition or disposal of land;</li> <li>3. the grant of a declared land sublease; and</li> <li>4. major developments on land owned wholly or partly by the University.</li> </ol>	Section 4(3)(c), UC Act Section 6(1)(i), UC Act Section 7(2), UC Act
<b>Controlled and Related Entities</b>	Approve the establishment or winding up of all controlled or related entities and joint ventures.	Section 37(1), UC Act Section 7(2), UC Act
	Appoint University officers to the boards of these entities.	
	Determine the areas that are paid parking areas on the University campus.	Rule 4, Traffic and Parking Rules
<b>Legislation, Statutes and Rules</b>		
<b>UC Act</b>	Endorse proposed changes to the <i>University of Canberra Act 1989</i> (ACT).	Section 10(1), UC Act
<b>Statutes</b>	Make, amend, and repeal statutes pursuant to the <i>University of Canberra Act 1989</i> (ACT) in relation to the matters set out at sections 40(2) and 41 of the <i>University of Canberra Act 1989</i> (ACT). Council must not delegate its power to make statutes.	Section 40, UC Act Section 17(2), UC Act
<b>Rules</b>	Make, amend, and repeal rules where a statute provides power to do so.	Section 40(3), UC Act
<b>Academic Matters</b>		
<b>Chair</b>	Appoint a professor as the chairperson of the Academic Board. Council must consider any recommendation of the Vice-Chancellor before doing so.	Section 21, UC Act
<b>Awards</b>		
<b>Retrospective</b>	Decide that an award of the University be conferred posthumously.	Rule 9, Conferral of Awards Rules
<b>Testamurs</b>	Approve the form of testamurs (diplomas, certificates etc.) awarded by the University.	Rules 11 and 12, Conferral of Awards Rules

	POWER	SOURCE
<b>Honorary Degrees and Emeritus Professors</b>	Admit a person to an honorary degree or award a person the title of Emeritus Professor.	Section 4, Honorary Degrees Statute Appointing Emeritus Professors Guidelines
	Revoke a proposal for admission to an honorary degree or the award of an honorary degree.	Rule 11, Honorary Degrees Rules
<b>Financial Management</b>		
<b>Budget</b>	Approve the University budget and parameters, including any variations.	Section 10(1), UC Act Section 36, UC Act Section 34, UC Act Section 7(2)(l), UC Act
<b>Financial Statements</b>	Approve the University Annual Financial Statements and authorise signing of statements/declarations.	
<b>Borrowings</b>	Approve borrowings or the giving of security over assets by the University.	
<b>Commitment of Funds</b>	Approve the commitment of funds for capital expenditure, and incurring an aggregate indebtedness equal to, or in excess of \$10 million aggregate.	
<b>Assets</b>	Approve the writing-off of assets, including work in progress (where the value is greater than \$0), in excess of \$1 million.	
<b>Debt</b>	Approve the writing-off of debt (including student debt) in excess of \$10 million.	
<b>Loans</b>	Approve loans to third parties (e.g., controlled entities) in excess of \$10 million.	
<b>Liquor</b>		
<b>Venues</b>	Endorse a venue on the University campus that wishes to apply for a liquor license in accordance with the <i>Liquor Act 2010</i> (ACT).	Section 8(1), Liquor General Rules
<b>Union Premises</b>	Decide the premises that are “Union premises” for the purposes of the Liquor Statute, and General and UCU Rules.	Section 4, Liquor Statute Rule 4, Liquor UCU and General Rules

## Council delegates to the Chancellor, the powers to:

	POWER	SOURCE
<b>Chancellor’s Delegations</b>		
<b>Conferral and Rescission</b>	Authorise the conferral or rescission of an award (degree, diploma or certificate) (Except due to administrative error – refer to Vice-Chancellor)	Rules 8 and 10, Conferring of Awards Rules 2013
<b>Acting Vice-Chancellor</b>	Approve the appointment of an Acting Vice-Chancellor for periods of leave greater than six weeks.	Delegations of Authority P.3.2
<b>Band 2 Recruitment</b>	Appoint a member of Council to the selection committee for executive management recruitment, i.e., DVCs and VPs (Band 2).	Delegations of Authority P.2.5
<b>Spokesperson</b>	Authorised to speak on behalf of Council. (The Deputy Chancellor also holds this delegation)	Delegations of Authority AD.9.1

APPROVED BY COUNCIL RESOLUTION C227/19, 20 MAY 2022

UPDATED BY COUNCIL RESOLUTION C2024/FM4/1 iv and v, 11 MAY 2024