

Matters on Which Authority is Retained by Council (i.e. Not Delegated).

Please note:

1. "University Act" refers to the *University of New England Act 1993* (NSW)
2. "UNE By-law 2005 refers to the *University of New England By-law 2005*
3. The "Comment" column contains any additional explanation of the item itself or the process underlying the provision of advice to Council on the item.
4. The Terms of Reference of all Council Committees were adopted by resolution of Council on 11 June 1998 and were reviewed by Council in 2000, 2002, 2004 and 2006

Item	Source of authority	Comment
General		
Elect the Chancellor	University Act s.10(1)	
Elect the Deputy Chancellor	University Act s.11(1)	
Appoint the Vice-Chancellor and, for periods of absences of 5 working days or greater, appoint an Acting Vice-Chancellor	University Act s.12(1)	
Appoint two external persons to Council	University Act s.9(1)(c) UNE By-law 2005, clause 6	
Remove a member of Council from office for breach of duty	University Act, s.21G	
Establish a Nominations Committee	UNE By-law 2005, clause 14	
Make recommendations for the Minister's consideration for ministerial appointments to Council	UNE By-law 2005, clause 14	
Monitor the Vice-Chancellor's performance	University Act s.16 (1B) (a)	
Oversee the University's performance	University Act s.16 (1B) (b)	
Approve significant University commercial activities (within the meaning of s.21A)	University Act s.16 (1B)(g)	
Establish and maintain branches and colleges of the University	University Act s.16(1)(h)	
Delegation by Council (other than this power of delegation) by resolution	University Act s.17	
Establish committees of Council, and elect members	University Act, Sch1, (4)	
Establish Standing Orders	University Act, Sch1, (4), (6)	
Legislative Matters		
Make By-laws	University Act s.28(1)	Requires Governor's approval
Make, amend or repeal Rules	University Act s.29(1)	
Establish policies and procedural principles for the University consistent with legal requirements and community expectations	University Act s.16 (1B) (h)	On recommendation from the Vice-Chancellor, Council Committees or Academic Board

Item	Source of authority	Comment
Strategic Planning		
Approve the University's Strategic Plan		Developed by the Vice-Chancellor in consultation with the University community
Miscellaneous		
Authorise the Chancellor, Deputy Chancellor, Vice-Chancellor or Vice-Chancellor's delegate to act at Graduation Ceremonies	University Act s.16(1)(a); s 17	
Approve Principal Dates		
Authorise Senior Officers of the University to sign under the Seal	University Act s. 17	
Approve use of the Seal of the University	University Act s.27	
Ensure that the University's grievance procedures, and information concerning any right of appeal or review conferred by or under any Act, are published in a form that is readily accessible to the public	University Act s.16 (1B)(i)	Through the Vice-Chancellor
Regularly review its own performance	University Act s.16 (1B)(j)	
Make available a program of induction and development, relevant to the role, for Council members.	University Act s.16 (1B)(k)	
Staffing Matters		
While retaining authority over the following matters, Council receives advice on them from the Standing Committee as stated in that Committee's terms of reference.		
	Source of authority	
Appoint selection committees for the Senior Executive (other than the Vice-Chancellor) of the University	University Act s.16(1)(b)	
Appoint Senior Executive of the University	University Act s.16(1)(b)	
While retaining authority over the following matters, Council receives advice on them from the Remuneration Committee as stated in that Committee's terms of reference.		
Approve remuneration policy and strategies for University's senior staff	Terms of Reference Remuneration Committee	
Approve salary packages for the Vice-Chancellor and University's senior staff	Terms of Reference Remuneration Committee	
Academic Matters		
While retaining authority over the following matters, Council receives advice on them from the Academic Board.		
Determine which degrees, diplomas and certificates the University offers	University Act s.16(1)	
Award doctorates	University Act s.16(1)(a)	
Grant rescissions of awards	University Act s.16(1)(a)	
Make and amend rules for awards	University Act s.16(1)(a)	

While retaining authority over the following matters, Council receives advice on them from the Vice-Chancellor.	
Award degrees/diplomas	University Act s.16(1)(a)
While retaining authority over the following matters, Council receives advice on them from the Honorary Degrees, Titles and Tributes Committee as stated in that Committee's terms of reference.	
Award honorary degrees, titles and tributes	Terms of Reference Honorary Degrees, Titles and Tributes Committee
Property Matters	
While retaining authority over the following matters, Council receives advice on them from the Buildings and Grounds Committee as stated in that Committee's terms of reference.	
Control, manage and dispose of property	University Act s.18
Alienate, mortgage, charge or demise any lands of the University	University Act s.18(2) Minister's approval required
Lease land for a term not exceeding 21 years	University Act s.18(3)
Lease land to a residential college affiliated with the University for a term not exceeding 99 years	University Act s.18 (4) Minister's approval required
Oversee the control and management of certain property vested in the Crown	University Act s.19 Minister's approval required
Approve Building & Room Names	In accordance with policy.
Approve new buildings and other capital works on and off campus	Terms of Reference Buildings and Grounds Committee
Approve Master Plan	Terms of Reference Buildings and Grounds Committee
Oversee implementation of Master Plan	Terms of Reference Buildings and Grounds Committee
Oversee the environmental management of the campus and other University properties	Terms of Reference Buildings and Grounds Committee
Financial Matters	
While retaining authority over the following matters, Council receives advice on them from the Finance Committee as stated in that Committee's terms of reference.	
Set policies on borrowing and investing, and borrow and invest, money	University Act s.16(1)(d)&(e)
Promote, establish or participate in (whether by means of debt, equity, contribution of assets or by other means) partnerships, trusts, companies and other incorporated bodies, or joint ventures (whether or not incorporated)	University Act s.16(1)(f)
Approve the University's Annual Budget and ensure consistency with Strategic Plan	Terms of Reference Finance Committee
Approve 3-year rolling budgets	Administration and Financial Policy
Oversee University's financial performance against budget targets	Terms of Reference Finance Committee
Oversee development, review and implementation of financial policies and delegations	Terms of Reference Finance Committee
Oversee University's insurances	Terms of Reference Finance Committee
Authorise certification of the University's annual financial statement and the certificate of compliance for the Annual Report	Terms of Reference Finance Committee

Council may submit a proposal for Commercial Guidelines to the Minister for approval and must ensure that the guidelines are complied with.	University Act s.21C and s.21D
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Item	Source of authority
Audit and Compliance Matters	
While retaining authority over the following matters, Council receives advice on them from the Audit and Compliance Committee as stated in that Committee's terms of reference.	
Compliance of UNE and related entities to laws and regulations, including those relating to audit, the environment, employment practice and anti-discrimination	Terms of Reference Audit and Compliance Committee
Audit plans of internal and external auditors	Terms of Reference Audit and Compliance Committee
Procedures, programs and policies of University relating to compliance	Terms of Reference Audit and Compliance Committee
University's programs and policies for detection and control of fraud, corruption and other illegal acts	Terms of Reference Audit and Compliance Committee
Oversee risk management and risk assessment across the University	University Act s.16 (1B)(e) Terms of Reference Audit and Compliance Committee
Approve and monitor systems of control and accountability for the University	University Act s.16 (1B)(f)
Maintain a Register of the University's Commercial Activities & report to the Minister on request	University Act s.21C and s.21D
Oversee activities of controlled entities, to ensure activities are authorised by Act	University Act s.16A
Ensure that the governing bodies of controlled entities meet certain requirements and that a reporting schedule is established for this purpose	University Act s.16A(5A)