EXTRACT FROM SENATE STANDING ORDERS

4.2 The start of each agenda of the Senate will have a standing item "Declarations of interest", at which point the Chair will ask if any Senator has a material personal interest to declare.

4.3 Senators must declare the nature, character and extent of any material personal interest. In case of doubt, a possible material personal interest must be declared.

4.4 If the Chancellor perceives there to be a material personal interest of which a Senator may be unaware, the Chancellor will raise it with the Senator concerned before the meeting. Chairs of committees will do likewise with meetings of their committees.

4.5 When amended, the Murdoch Act will contain detailed provisions dealing with material personal interests. Until then, the Code of Conduct provisions relating to material personal interests and conflicts of interest will apply.

EXTRACT FROM SENATE CODE OF CONDUCT

Material personal interests

2.10 Senator who has a material personal interest in a matter that relates to the affairs of the University must give the other Senators either:

2.10.1 notice of the interest; or

2.10.2 standing notice of the interest

2.11 The notice of a material personal interest must:

2.11.1 give details of:

2.11.1.1 the nature and extent of the interest; and

2.11.1.2 the relation of the interest to the affairs of the University; and

2.11.2 be given at a Senate meeting as soon as practicable after the Senator becomes aware of his or her interest in the matter, with full details of the interest to be recorded in the minutes of the meeting.

2.12 A standing notice of a material personal interest:

2.12.1 may be given:

2.12.1.1 at any time and whether or not the matter relates to the affairs of the University at the time the notice is given; and

2.12.1.2 to the other Senators before the interest becomes a material personal interest.

2.12.2 takes effect as soon as it is given; and

2.12.3 ceases to have effect:

2.12.3.1 if a person who was not a Senator at the time when the notice was given is appointed as a Senator until such time as the standing notice is given to the new Senator; and

2.12.3.2 in relation to a particular interest if the nature or extent of the interest materially increases above that disclosed in the notice.

2.13 A Senator who has a material personal interest in a matter that is being considered at a Senate meeting must not:

2.13.1 be present while the matter is being considered at the meeting; or
2.13.2 vote on the matter, unless:

2.13.3 the interest does not need to be disclosed; or

2.13.4 the Senators who do not have a material personal interest in the matter have passed a resolution that:

2.13.4.1 identifies the Senator, the nature and extent of his or her interest in the matter and its relation to the affairs of the University; and

2.13.4.2 states that those Senators are satisfied that the interest should not disqualify the Senator from voting or being present.

2.14 If the Chancellor perceives there to be a material personal interest of which a Senator may be unaware, the Chancellor will raise it with the Senator concerned before the meeting. Chairs of committees will do likewise with meetings of their committees.

2.15 Examples of potential material personal interest include:

2.15.1 employment by, shareholding in or directorship of a company dealing with the University;

2.15.2 membership of a body that is in competition or conflict with the University;

2.15.3 for University employees, outsourcing or restructuring of their work sections;

2.15.4 any matter under discussion that would result in personal financial advantage; and

2.15.5 government officials who are responsible for an aspect of policy or operations which affects a matter under consideration by the University.

2.16 A matter that arises from membership of the group qualifying the Senator for election to the Senate, and which is not otherwise special or personal to the Senator, is not a material personal interest (e.g., students voting on assessment policy, or staff voting on a salary increase for all staff).

2.17 A contravention of this requirement by a Senator does not affect the validity of any act, transaction, agreement, instrument, resolution or other thing.

Conflicts of interest

This section should be read in conjunction with the legal duty discussed at paragraphs 2.10 and following.

Private interests

4.2 Senators are expected to place the public interest above personal interests and not to use their position for personal gain or advantage. Conflicts between private interests and public duties can arise when:

4.2.1 a Senator (or that Senator’s spouse, child or near relative) stands to make a financial gain from, or to be otherwise advantaged by a Senate decision; or

4.2.2 a Senator (or that Senator’s spouse, child or near relative or close associate) holds membership of, or ownership in another organisation likely to benefit from a Senate decision.