PROPOSED AMENDMENTS TO STATUTE NO. 8 - INTERPRETATION

Statute No. 8—Interpretation

1. In any Statute, Regulation or By-law of the University, unless the context otherwise requires:

   Absolute majority means a majority of all the persons for the time being holding office;
   Act means the Murdoch University Act 1973 (WA);
   By-law means a by-law of the University made under the Act;
   Campus means the lands or premises from time to time designated as a campus by the Senate. There may be more than one campus so designated at any one time;
   Day means calendar day;
   Dean means the Head of a School upon whom the Vice-Chancellor has conferred the title Dean in accordance with the Division Regulations;
   Division means a unit of university organisation constituted as a Division by the Division Regulations;
   Examination means an examination conducted by or within the University or an examination conducted by any other person or body prescribed by the statutes as a person or body authorised to conduct examinations for the University;
   Executive Dean means the Executive Dean of a Division appointed under the Division Regulations;
   External Student means a student designated as an external student by the Secretary;
   General Staff means members of the staff all employees of the University who are not members of the University’s academic staff;
   Graduate means a graduate of any University;
   Member of the University means a person who is a member of the Senate, a member of the staff of the University other than a person employed on a casual basis, a graduate of the University or a student;
   Office of the University means the office of the University as from time to time designated by the Senate;
   Prescribed means prescribed by the Act, or a Statute, Regulation or By-law as the case may be;
   Part-time Student means a student designated as a part-time student by the Secretary;
   Regulation means a Regulation of the University made under the Act;
   School or School of Study means the unit of university organisation constituted as a School under the School Regulations or the Division Regulations;
2. Subject to paragraph 3(d), the provisions of the Interpretation Act 1984 (WA) in force from time to time apply in the interpretation and construction of the Statutes, Regulations and By-law.

2. (1) A heading of and within any Statute or Regulation or By-law shall be part of that Statute or Regulation.

(2) A Schedule to a Statute, Regulation or By-law shall be part of that Statute, Regulation or By-law.

3. The repeal or amendment of any Statute, Regulation or By-law in whole or in part, unless the contrary intention appears, shall not affect:

(a) any right, privilege, obligation or liability acquired, accrued, or incurred under the revoked or amended Statute, Regulation or By-law;

(b) any penalty or punishment incurred in respect of any offence committed under the revoked or amended Statute, Regulation or By-law;

(c) any investigation, inquiry, legal proceedings or remedy in respect of any such right, privilege, obligation or liability, penalty or punishment and any such investigation, inquiry, legal proceedings or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed as if the revoking or amending Statute, Regulation or By-law had not been made.

4. Any reference to any Act of the State of Western Australia or any Statute, Regulation or By-law shall, from the date of any amendment to such Act, Statute, Regulation or By-law be deemed to be that Act, Statute, Regulation or By-law as so amended.

53. In any Statute, Regulation or By-law unless the contrary intention appears:

(a) words importing either gender shall include the other;

(b) words in the singular shall include the plural and words in the plural shall include the singular;

(ea) a reference to any person holding an office shall be to the person who holds or discharges the duty of that office for the time being, or to the person who is for the time being acting in that office as the case may require;

(db) a person appointed as a member of a University body or organisation by virtue of some other office held by him or her whether in the University or
elsewhere, and expressed to be appointed ‘ex officio’ shall have the right to nominate any other person to represent him or her on any such body or organisation and from time to time remove and replace any such nominee as he or she shall think fit;

(e) a reference to a person who is ‘primarily a student’ is a reference to a person whom the Vice-Chancellor determines is primarily a student.

(f) Any reference to days includes parts of days. Any reference to periods of days “after”, “from” or “prior to” a day shall exclude that day in the calculation of the number of days. Whenever a specified period of days ends on a Saturday, Sunday, For the purposes of sub-section 61(2) of the Interpretation Act 1984 (WA), “excluded day” means Saturday, Sunday, or other day on which the University is officially closed, the period shall end on the next day that is a working day.

64. The periods of instruction in each year shall be determined by the Senate.

75. For the purposes of section 8(2) of the Act, the University shall (inter alia) consist of all members of the academic and general staff of the University other than those employed on a casual basis.