Date of meeting: Monday, 24/10/2005

Present:

Judge Kate O’Brien (Chair)
Alison Gaines
Prof. John Yovich
John Pease
Janice Bowra
Prof. Gabriel Moëns
Mal Bradley

Secretary: John Pease

Apologies: Nil

Official attendees: Nil

Observers: Nil

1. DECLARATIONS OF INTEREST (MURDOCH UNIVERSITY ACT s17A)

Nil.

The Chair welcomed Prof. Moëns to his first meeting of the committee.

2. CONFIRMATION OF MINUTES

The minutes of the meeting held on 30/03/2005 were confirmed.

3. DECISIONS TAKEN BY CIRCULATION

During the course of the year, the committee has, by circulation, resolved to recommend that Senate make various amendments to regulations as per the minutes attached. Details also appear below. The effective dates of the respective resolutions are shown below, when an absolute majority of the members voted in support.

Effective date

14/02/2005 LC/01/2005 Endorse Academic Council recommendations to amend Bachelor Degree Regulation 65.

04/05/2005 LC/05/2005 Final approval of the Universities Legislation Amendment Bill 2005 (WA).

17/05/2005 LC/06/2005 Endorse Academic Council recommendations to amend the Master by Coursework Degree Regulations (amend 1(1) and 2(1)) and the Certificate Regulations (amend 1(d)).

21/06/2005 LC/07/2005 Endorse Academic Council recommendations to amend the Bachelor Degree Regulation 3(1), Certificate Regulations 1(c) and (d), Diploma Regulations 1(1)(b) and (c) and the Master by Coursework Degree Regulations 3(1) and 2(1).

09/08/2005 LC/08/2005 Endorse Academic Council recommendations to amend the Diploma Regulation 1(1) (c), Master by Coursework Degree Regulation 1(1), Master by Coursework Degree Regulation 2(1), Master by Coursework Degree Regulation 9, Bachelor Degree Regulation 5A(1), Bachelor Degree Regulation 42(1) and (6), Bachelor Degree Regulation 44(1), 2 and (3), Bachelor Degree Regulation 45(2), Bachelor Degree Regulation 47(2)(d) and Statute 5-Academic Council.
4. ACADEMIC COUNCIL RECOMMENDATIONS

The committee noted that, at its meeting on 14/09/2005, the Academic Council recommended that Senate amend Diploma Regulation 1(c) and Master by Coursework Degree Regulations 1(1) and 2(1).

Resolved: To recommend to Senate that it amend the following regulations in the first terms attached (changes shown in mark-up):

(i) Paragraph 1(c) of the Diploma Regulations; and

(ii) Paragraphs 1(1) and 2(1) of the Master by Coursework Degree Regulations.

5. GUILD SECRETARIAT RECOMMENDATIONS

The committee noted that, at its meeting on 31/08/2005, the Guild Secretariat recommended that Senate amend various provisions of Statute no. 17-Guild of Students and the Guild Regulations.

Mr Bradley spoke to the proposed amendments to the statute, indicating new clauses 3(m) and 4(4) were in anticipation of a worst-case scenario in terms of the Federal Government’s foreshadowed VSU legislation. The Guild wants to be able to act swiftly if the worst-case scenario eventuates. The balance of the proposed amendments were more operational in nature.

There was a brief discussion regarding the VSU-related amendments, with the following points being made:

➢ If the worst-case scenario unfolded, the Murdoch University Act and Statute no. 17 would also need to be amended to make Guild membership optional, rather than automatic, as is the current position.

➢ If the proposed amendments were made, in theory students would be subject to the existing amenities fee as well as a Guild membership fee if introduced. Mr Bradley indicated that it was not the Guild’s intention to levy any fee in additional to the amenities fee.

➢ It is not appropriate to be amending legislation on a hypothetical basis. If and when a clear picture emerges as to the final format of the VSU legislation, depending on timing and transitional provisions, any issues could be addressed by Summer Committee or by resolution by circulation.

Resolved: To recommend to Senate that it amend the Guild Regulations in the terms attached (changes shown in mark-up).

Resolved: (i) Noting that if necessary renewed consideration of the matter will be expedited, to adjourn consideration of proposed amendments to Statute no. 17-Guild of Students paragraphs 3(m) and 4(4) until a more clear picture emerges as to the final format of the Federal Government’s proposed VSU legislation.

(ii) To recommend to Senate that it amend paragraph 7(1) of Statute no. 17-Guild of Students in the terms attached (changes shown in mark-up).
6. RESOLUTION REGISTER

The committee noted the 2005 resolution register.

Signed as a true record of the meeting of the Legislation Committee held on 24/10/2005.

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JUDGE KATE O’BRIEN - CHAIR

Dated: October, 2005