This election is being conducted in accordance with the University of Western Sydney By-law 2005 to fill a casual vacancy in the position of Academic Staff Member of the Board following the resignation of the incumbent. The term of office is from 1 June 2008 until 31 December 2009.

The Board of Trustees is the governing authority of the University and has eighteen members who collectively bring a range of experience, qualifications, backgrounds and perspectives to the work of the Board. The Board’s key functions as outlined in the University of Western Sydney Act 1997 (s. 11) are:

(a) the development of broad policies and strategic plans with respect to the University,
(b) generally defining the University’s educational profile,
(c) the management of the University’s resources and the monitoring of the University’s performance,
(d) representation of the University as occasion requires.

The Act also details the object and functions of the University, the constitution of the Board, and the powers of the Board. The Board’s detailed functions are contained in section 22 of the Act which is copied below.

The Board meets approximately six times per year and it is supported by a number of standing committees. Most members have an involvement with one of the Board’s standing committees and/or with committees of the University such as the panels for the UWS Regional and Industry Partnership Awards, the panels of the Vice-Chancellor’s Excellence Awards, the Student Non-academic Misconduct Appeals Committee and the like.

The role of a Board member is similar to that of a company director and a formal induction is provided to all incoming members. The ‘duties’ of Board members are prescribed in the Act and include a requirement for members to act in good faith and in the best interests of the University as a whole. Ongoing professional development is available to all Board members related to their governance role.

Details about the Board and its role, along with the list of current members and Board committees can be obtained from the University’s web site at: http://www.uws.edu.au/about/university/governance

The University of Western Sydney Act 1997 and the University of Western Sydney By-law 2005 can be accessed via the NSW Parliamentary Counsel’s web site at: http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NONE/0

Jo Maguire
Returning Officer
April 2008
University of Western Sydney Act 1997 No 116

22 Functions of Board

(1A) The Board:
   (a) acts for and on behalf of the University in the exercise of the University’s functions, and
   (b) has the control and management of the affairs and concerns of the University, and
   (c) may act in all matters concerning the University in such manner as appears to the Board to be best calculated to promote the object and interests of the University.

(1B) Without limiting the functions of the Board under subsection (1A), the Board is, in controlling and managing the affairs and concerns of the University:
   (a) to monitor the performance of the Vice-Chancellor, and
   (b) to oversee the University’s performance, and
   (c) to oversee the academic activities of the University, and
   (d) to approve the University’s mission, strategic direction, annual budget and business plan, and
   (e) to oversee risk management and risk assessment across the University (including, if necessary, taking reasonable steps to obtain independent audit reports of entities in which the University has an interest but which it does not control or with which it has entered into a joint venture), and
   (f) to approve and monitor systems of control and accountability for the University (including in relation to controlled entities within the meaning of section 22A), and
   (g) to approve significant University commercial activities (within the meaning of section 32A), and
   (h) to establish policies and procedural principles for the University consistent with legal requirements and community expectations, and
   (i) to ensure that the University’s grievance procedures, and information concerning any rights of appeal or review conferred by or under any Act, are published in a form that is readily accessible to the public, and
   (j) to regularly review its own performance (in light of its functions and obligations imposed by or under this or any other Act), and
   (k) to adopt a statement of its primary responsibilities, and
   (l) to make available for members of the Board a program of induction and of development relevant to their role as such a member.

(1) Without limiting the functions of the Board under subsection (1A), the Board may, for and on behalf of the University in the exercise of the University’s functions:
   (a) provide such courses as it thinks fit and, in conferring and awarding degrees and diplomas, issue such certificates in the nature of degrees, diplomas or other awards as it thinks fit, and
   (b) appoint and terminate the appointment of staff of the University, and
   (c), (d) (Repealed)
   (e) borrow money within such limits, to such extent and on such conditions as to security or otherwise as the Governor on the recommendation of the Treasurer may approve,
(f) invest any funds belonging to or vested in the University, and
(g) 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),
(h) (Repealed)
(i) establish and maintain branches, campuses and colleges of the University, within the University and elsewhere, and
(j) make loans and grants to students, and
(k) impose fees, charges and fines.

(2) The functions of the Board under this section are to be exercised subject to the by-laws.

(3) Schedule 2 has effect in relation to the investment of funds by the Board.

Note. The Annual Reports (Statutory Bodies) Act 1984 regulates the making of annual reports to Parliament by the Board and requires the Board to report on the University’s operations (including in relation to risk management and insurance arrangements) and a range of financial and other matters.