

Queensland



Subordinate Legislation 1991 No. 43

Department of Education
Brisbane, 8th August, 1991

HIS Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the *Queensland University of Technology Act 1988*, has been pleased to approve the following Statutes made by the Council of the Queensland University of Technology.

PAUL BRADDY

WHEREAS by virtue of section 44 of the *Queensland University of Technology Act 1988* the Council of the Queensland University of Technology may make Statutes not inconsistent with that Act.

Now therefore, the Council of the Queensland University of Technology makes the following Statute:

A STATUTE OF THE QUEENSLAND UNIVERSITY OF TECHNOLOGY

STATUTE 12—INVESTMENT

1. Subject to the Act any monies of QUT may be invested by Council from time to time in the manner specified herein.

2. The monies of QUT shall only be invested in authorised investments which shall consist of—

(a) real property and any improvements, fixtures and fittings erected or installed or to be erected and installed thereon, all rights conferring options, rights of first refusal or otherwise relating to the acquisition of real property;

(b) plant and equipment, furnishings and fittings and any other personal property used in association with buildings and real property forming part of the assets of QUT;

(c) any investment which trustees shall for the time being be authorised by the law of any State or Territory of the Commonwealth of Australia to invest trust monies, except common funds of any trustee company;

(d) monies deposited with an authorised short term money market dealer [as defined in section 97 (7) (b) of the *Companies (Queensland) Code* or any provision which amends, re-enacts or replaces that section];

(e) monies deposited with any member of the Australian Merchant Bankers' Association or any bank [as defined in section 5 of the *Banking Act 1959* (Commonwealth) or formed or incorporated under an Act of Parliament of a State of the Commonwealth of Australia] or any company related to such a bank;

(f) any permanent building society registered under the laws of the State of Queensland;

(g) bills of exchange and promissory notes whether purchased or discounted and which have been either drawn, issued, endorsed or accepted by a company described in paragraphs (d) and (e) or any public statutory body constituted under law of the Commonwealth of Australia or any State or Territory thereof;

(h) the investment of money on security (whether by way of mortgage taken severally or otherwise) of any real property for a term not exceeding 30 years in an amount which when added to monies owing on any charge ranking prior to or equivalent with the security to be taken by the Council does not exceed:

(i) two-thirds; or

(ii) if repayment of the whole of the principal and interest under any mortgage is secured under a mortgage insurance policy acceptable to the Council, nine-tenths;

of the value of the property as valued by a valuer qualified to value the real property and who is a member of the Australian Institute of Valuers (or if such institute has ceased to exist of some other institute or body serving substantially the same objects);

(i) any shares, debentures and other securities in or issued by any company which is registered under the laws of the Commonwealth of Australia or of a State or Territory or any unit in any trust the objects or purposes of which include one or more of the following objects or purposes:

(i) providing facilities or services for study, research or education;

(ii) undertaking research, development, consultancy or other services for commercial organisations, public bodies or individuals;

(iii) aiding or engaging the development and promotion of university research or the application or use of the results of such research;

(iv) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audio-visual material or computer software;

(v) exploiting commercially any facility or resource of QUT including any study, research or knowledge, or the practical application thereof, developed by or belonging, whether alone or in conjunction with any person or body, to QUT;

(vi) seeking or encouraging gifts to QUT or for QUT purposes;

(vii) any other object or purpose consistent with the Act which Council considers to be appropriate in the circumstances.

3. QUT may at any time realise an authorised investment and reinvest the proceeds in accordance with the provisions of this Statute.

4. When any monies are given, devised, bequeathed to or held by QUT upon any trust, Council may, subject to the terms of the trust, invest such monies in the manner specified in section 2. Where any real or personal property is acquired by, vested in or given, devised or bequeathed to or held by QUT whether or not the same is subject to any trust, Council may, subject to the terms of any relevant trust realise any investment or part thereof and reinvest the proceeds in accordance with the provisions of this Statute.

STATUTE 13—QUT FACILITIES

Application of Statute

1. The provisions of this Statute apply to the management and operation of QUT facilities and the use of those facilities by members of QUT and all other persons (whether associated with QUT or not) who make use of QUT facilities in any way.

Definitions

2. In this Statute unless the contrary intention appears—

“**facilities**” means facilities under the control of QUT including but not limited to libraries, computing facilities, broadcast and television facilities, dining and recreational facilities, and residential accommodation facilities;

“**materials**” means all books, journals, papers, films, tapes, recordings, computer software and other materials held by QUT facilities;

“**equipment**” means all furniture, computer hardware, audiovisual equipment and other equipment held by QUT facilities.

Rules

3. (1) Council may make rules, not inconsistent with the Act, this Statute or any other Statute, regulating or providing for the regulation of facilities either generally or in respect of a particular facility.

(2) Without in any way limiting the rule-making power contained in subsection (1), rules may be made which—

- (a) prescribe fees to be charged to all or any persons for admission to facilities, or the use of or the borrowing of materials or equipment;
- (b) make provision for penalties for breaches of the rules;
- (c) authorise QUT officers to prescribe certain matters for the purposes of the rules.

STATUTE 14—RESIDENTIAL ACCOMMODATION

Provision of Accommodation

1. Council may make such provision as it thinks fit, either generally or in particular cases, for the residential accommodation of visitors to the University, members of staff and enrolled students.

Staff Housing

2. Without limiting the powers of Council under section 1, Council may—

- (a) let to members of staff houses or other dwellings owned by QUT;
- (b) sub-let to members of staff houses or other dwellings leased by QUT.

Borrowing

3. For the purpose of providing for the residential accommodation of members of staff and enrolled students, Council may, subject to the Act, borrow money or resort to funds or other property of QUT not held subject to trusts, conditions, or other restrictions inconsistent with such use.

STATUTE 17—COURSES OF STUDY AND AWARDS

Granting of Degrees and Other Awards

1. (1) Council may grant degrees, diplomas and certificates.

(2) The degrees, diplomas and certificates that may be granted shall be those listed in the register of awards approved by Council from time to time.

Award Requirements

2. (1) Subject to the Act and the Statutes and rules, Council may by resolution determine the requirements for the award of degrees, diplomas and certificates.

(2) If while a student is proceeding to a degree or other award the provision of the Statutes or rules for that award are amended or rescinded, the student shall be entitled to complete his or her qualification for and to receive the award upon such terms as to time for completing the qualification and otherwise as Council deems reasonable in the circumstances of the case.

Honorary Degrees

3. (1) Council may honour any person who has, in its opinion, rendered distinguished service to the community or to QUT or to scholarship by admitting that person to the degree of Doctor of the University (abbreviated D Univ).

(2) Council may award the said degree by resolution requiring a majority of all the members for the time being of Council.

Revocation of Grant of Degree or Other Award or Status

4. (1) If a person has been granted a degree, diploma or certificate of QUT, or has been admitted to any status within QUT on the ground of possessing certain qualifications or having completed certain requirements appropriate to such grant or admission, and Council is satisfied that when the grant or admission was made he or she did not possess all such

qualifications or had not completed all such requirements, Council may revoke the grant or admission to status. Thereupon such person shall be deemed never to have been granted the degree, diploma or certificate, or have been admitted to the status. Council shall not revoke any grant or admission without first hearing the person concerned if he or she wishes to be heard.

(2) If a grant to a person of a degree, diploma or certificate or admission of a person to any status has been revoked, and if such person has received from QUT any document or documents certifying or evidencing such grant or admission to status, the ownership of such document or documents shall forthwith upon such revocation revert in QUT. Such person shall, if required to do so by the Registrar, deliver up to the Registrar all such documents received by him or her. If he or she fails within a reasonable time to do so, QUT may take proceedings in any court of competent jurisdiction for the recovery of possession of the documents. If any such document has come into the possession or under the control of any other person such other person shall be under a like obligation to deliver it up to the Registrar and QUT may take like proceedings to recover possession of it.

Register of Graduates

5. The Registrar shall keep a register of all persons on whom degrees, diplomas and other awards of the University are granted.

STATUTE 18—FELLOWSHIPS, SCHOLARSHIPS, PRIZES AND SIMILAR AWARDS

Council may establish such fellowships, scholarships, prizes and similar awards as it thinks fit, and may make rules concerning the award and tenure thereof and any other matters concerning them, provided that where such award has been established by a gift to QUT the rules thus made shall conform to any conditions imposed by the donor.

STATUTE 19—FEES AND CHARGES

1. Council may by rule determine the fees, including any late fees, to be paid for courses, examinations, the granting of degrees, diplomas and certificates, the use of QUT facilities and other activities of the University.

2. The Registrar may exclude from re-enrolment, graduation or the use of any University facilities, or withhold assessment results from, any student who has not paid the fees, including any late fees or any fines levied under a Statute due by him or her, by the expiration of the time provided. The Registrar shall notify the student of such action.

3. Council may make provision for waiving fees, late fees or fines in full or in part.

The Common Seal of the Queensland University of Technology was hereunto affixed on the 25th day of July, 1991 by the authority of Council.

V. B. PULLAR,
Chancellor
B. S. WATERS,
Registrar

**A STATUTE OF THE QUEENSLAND UNIVERSITY
OF TECHNOLOGY**

WHEREAS by virtue of section 44 of the *Queensland University of Technology Act 1988*, the Council of the Queensland University of Technology may by Statute repeal, rescind, revoke, alter, vary, amend or otherwise modify any Statute or part of a Statute.

Now, therefore, the Council of the Queensland University of Technology

makes the following Statute:

1. The By-laws made by the Council of the Institute under the *Education Act 1964* and deemed to be Statutes of the University by virtue of section 86 of the *Queensland University of Technology Act 1988* as set out in the Schedule hereto are hereby rescinded.

Schedule

By-law Number 10—The Queensland Institute of Technology Union

By-law Number 11—Union fees

By-law Number 12—Libraries

By-law Number 13—Owen J Wordsworth Memorial Scholarships

The Common Seal of the Queensland University of Technology was hereunto affixed on the 25th day of July, 1991, by the authority of Council.

V. B. PULLAR,
Chancellor
B. S. WATERS
Registrar

ENDNOTES

1. Published in the Gazette on 10 August 1991.
2. Laid before the Legislative Assembly on 21 August 1991.
3. The administering agency is the Department of Education (Council of the Queensland University of Technology).