

University Statute No. 15 Western Australian Academy of Performing Arts

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1. Definitions

In this Statute unless the contrary intention appears --

"Academy" means Western Australian Academy of Performing Arts.

"Board" means Board of the Western Australian Academy of Performing Arts.

"Chairperson" means Chairperson of the Board of the Western Australian Academy of Performing Arts.

"Deputy Chairperson" means Deputy Chairperson of the Board of the Western Australian Academy of Performing Arts.

"Director" means the Director of the Western Australian Academy of Performing Arts who shall be appointed in accord with policy prescribed by the Council from time to time.

"meeting" means meeting of the Board of the Western Australian Academy of Performing Arts.

"Professors" means professors of the University appointed in accord with policy prescribed by the Council from time to time."

2. Establishment of the Academy

In accordance with section 24(1) of the Act the Western Australian Academy of Performing Arts shall be deemed to have been established as an Academy of the University under that name on the day the Act came into operation.

3. Objects of the Academy

The objects of the Academy are --

- a. the development and improvement of and the provision for education in the performing arts;
- b. the establishment and maintenance, by examination and such other means as the Board deems fit, of standards of attainment which are recognised and reputable in the profession of the performing arts;
- c. the organisation, conduct and participation in public performances, conferences, lectures, broadcasts, telecasts, demonstrations, experiments, films, training and other educational activities relating to the performing arts;
- d. the advancement of learning, knowledge, appreciation and competence in activities primarily or substantially directed to the creation, design, composition, interpretation, display, publication, performance, conservation and elucidation of works in the performing arts; and
- e. the support for the needs and demands of the Western Australian community at large in any or all branches of the performing arts in the amateur, avocational and community spheres.

4. Establishment of the Board

Subject to the Act there shall be a Board to be known as the Board of the Western Australian Academy of Performing Arts which shall be responsible, subject to the direction and control of the Council, for the affairs, concerns, and property of the Academy.

5. Functions and Duties of the Board

- a. Subject to the Act the Board shall --
 - i. perform any function conferred or imposed upon the Board by or under the Act;
 - ii. act in all matters concerning the Academy in such manner as appears to it best calculated to promote the objects and interests of the Academy and the University;
 - iii. make recommendations to the Council on the promotion, development and co-ordination of academic courses and

- programmes which are offered or to be offered by the Academy and the overall development of the Academy generally;
- iv. administer, care for, control and maintain the Academy and, subject to any agreement referred to in section 5(a)(v), all books, manuscripts, instruments, chattels and property contained in the Academy or branches thereof;
 - v. subject to the approval of Council, establish, maintain, and control, either alone or by agreement with any other person or body, places for the carrying out of the purposes of the Academy within Western Australia;
 - vi. on behalf of the Council, confer, after appropriate assessment, such degrees, diplomas, certificates and other awards as are approved by the Council, and
 - vii. as soon as practicable after each thirty-first day of December, prepare and furnish to the Council a report on the operations of the Academy during the period of twelve months immediately preceding that day.
- b. Subject to the Act the Board may --
- i. recruit, select and appoint persons as members of the staff of the Academy, other than the Director and Professors, in accordance with policy as prescribed by the Council from time to time;
 - ii. expend or otherwise apply for the purposes of the Academy, moneys allocated to the Academy;
 - iii. expend or otherwise apply moneys received by the University, the Council, the Academy or the Board by way of gifts or bequests for educational research or other purposes associated with the Academy; and
 - iv. appoint such committees as may be determined by the Board.

6. Constitution of the Board

The Board shall consist of --

- a. 1 person, not being an employee of the University, appointed by the Council following consultation with the Board, who shall be the Chairperson.
- b. 3 persons, not being employees of the University, appointed by the Council following consultation with the Chairperson, with experience in the teaching, administration or practice of the performing arts.
- c. 3 persons, not being employees of the University, appointed by the Council, following consultation with the Chairperson, being persons with experience in education, the professions, industry or commerce and such other persons who are representative of the community.
- d. the Vice-Chancellor or nominee.
- e. 1 person, being an executive member of the University administration, appointed by the Vice-Chancellor.
- f. the Director.
- g. 1 member of the full time staff of the Academy elected by members of that staff, the manner of election to be in accordance with Statute No 16 of the Statutes of the University.
- h. 1 enrolled student of the Academy elected by enrolled students of the Academy, the manner of election to be in accordance with Statute No 16 of the Statutes of the University.

7. Appointment of Deputy Chairperson

The Board shall appoint a member of the Board to be the Deputy Chairperson of the Board for a term of office not exceeding 1 year.

8. Terms of Office

- a. Appointed Members
 - i. An appointed member of the Board holds office for such period not exceeding 3 years as is specified in the instrument of their appointment.
 - ii. The Chairperson shall notify the Chancellor of the occurrence of a casual vacancy or the impending expiry of the term of office of an appointed member."
- b. Elected Members
 - i. A member of the Board elected under section 6(g) of this Statute holds office until the 31st day of December of the fourth academic year after the date on which their election takes effect.
 - ii. A member of the Board elected under section 6(h) of this Statute holds office until the 31st day of December of the academic year following the date on which their election takes effect.
 - iii. A member referred to in section 6(h) of this Statute is not eligible for re-election more than once.
- c. A member other than a member referred to in sections 6(a), 6(f) and 6(h) of this Statute is not eligible to be re-appointed on the expiry of a third successive term of office until 12 months have elapsed after such expiry.

- d. Where a vacancy occurs in the office of an elected member --
 - i. if, at the expiration of 3 months from the occurrence of the vacancy, the office has not been filled by election the Council may fill that office by appointing a person with like prescribed qualification as that of the member whose office has become vacant; and
 - ii. the person, who fills the vacancy shall, subject to this Statute, hold office as member for the residue of their predecessor's term of office.
- e. Vacation of Office The office of a member other than the member referred to in section 6(d), 6(e), or 6(f) of this Statute becomes vacant if --
 - i. the term of office of the member expires by effluxion of time;
 - ii. the member resigns the office by writing under their hand addressed to the Chancellor.
 - iii. the member becomes permanently incapable of performing their office as a member;
 - iv. the member is an undischarged bankrupt or has their affairs under liquidation by arrangement with his or her creditors;
 - v. the member is convicted of an indictable offence;
 - vi. the member is absent without leave of the Board from 3 consecutive meetings; or
 - vii. the member ceases to hold any qualification required for their becoming or being a member.

9. Meetings

- a. The Chairperson shall preside at and regulate the proceedings of all meetings at which he is present.
- b. At any meeting at which --
 - i. the Chairperson is not present, the Deputy Chairperson shall preside at the meeting;
 - ii. the Chairperson and the Deputy Chairperson are not present, the members present at the meeting shall elect a member to preside at the meeting, and while so presiding the Deputy Chairperson or the member, as the case may be, has all the powers and duties of the Chairperson.
- c. The Board shall hold such meetings as are necessary for the performance of its functions.
- d. The Chairperson may at any time convene a meeting and shall convene a meeting when requested in writing by the Chancellor to do so or when so requested by any 4 members of the Board.
- e. Subject to the Act and this Statute, the Board may regulate its own procedure in such manner as it thinks fit.
- f. A member of the Board is not entitled to vote either on the Board or in any committee of the Board on any question in respect of which they have a direct pecuniary interest, and if a member of the Board so votes their vote shall be disregarded.
- g. The Chairperson(or in that person's absence, the Deputy Chairperson or presiding Board member, as the case may be) shall have the power to determine whether a member of the Board has a direct pecuniary interest in any matter, and the Chairperson's or Deputy Chairperson's, as the case may be, decision in that regard shall be final and binding.
- h. At a meeting --
 - i. not less than one half of the total number of members for the time being forms a quorum;
 - ii. in the event of a quorum not being present within 30 minutes after the time appointed for a meeting, the meeting shall be adjourned to a time not later than 14 days after the date of such adjournment;
 - iii. a question arising at the meeting shall be determined by a majority of the valid votes of the members present.
- i. At a meeting --
 - i. all motions shall be passed on the basis of a majority of the valid votes of members present;
 - ii. the Chairperson shall have a deliberative vote only;
 - iii. when any question voted upon by the Board results in an equal number for and against, the Chairperson shall declare the question lost.
- j. A resolution of the Board shall not be rescinded unless notice of the intention to propose such rescission is placed on the agenda of a meeting.
- k. No act or thing done by the Board is invalidated, prejudiced or affected by reason of any vacancy in the membership of the Board or any failure to appoint or elect any member of the Board, or any defect or irregularity in the appointment or election of any persons purporting to be a member so long as a quorum of the Board remains.

10. Committees of the Board

- a. The Board from time to time may --
 - i. appoint Committees either for general or specific purposes;
 - ii. require a Committee to advise the Board in respect of any matter or class of matters;

- iii. require a Committee to report to the Board on its activities at such times and in such manner as the Board directs.
- b. The membership of Committees appointed by the Board shall be determined by the Board and may include persons who are not members of the Board.
- c. The Director shall be an ex officio member of all Committees established by the Board except when specifically excluded by resolution of the Board.

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For further information contact:

Director, Office of Governance Services
Edith Cowan University
telephone: 6304 2453
facsimile: 6304 2661

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