

University Rules: General Misconduct Rules (Students)

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1 Preliminary

These Rules are made under [University Statute No. 22 - Student Conduct](#).

2 Definitions

Term	Definition
Academic Breach	Has the meaning prescribed by the University's Academic Misconduct Rules (Students).
Academic Misconduct	Has the meaning prescribed by the University's Academic Misconduct Rules (Students).
Activity	As the context requires: <ul style="list-style-type: none"> the use of, or attendance at, a University lecture theatre, laboratory or other facility, including facilities made available to the University for use; attendance at or participation in any University oriented research, Examination, test, lecture, tutorial, workshop, placement or similar; attendance at or participation in any activity related to enrolment in a Unit or Course; attendance at or participation in any activity or event organised by or involving the University, including any administrative, business or commercial activity; or the carrying out of any University function, including any academic and administrative tasks which are properly ancillary to those functions.
Assessment Task	A process or task to determine a Student's achievement of identified learning outcomes, which may include written or oral work, demonstration or performance.
Central Examination	A centrally-coordinated Examination, administered by Student Administration on behalf of a School or Teaching Area.

Term	Definition
Conflict of Interest	A conflict of interest as described in the University's Conflicts of Interest Policy, including a Conflict of Interest (Actual), Potential Conflict of Interest, or a Perceived Conflict of Interest (as those terms are defined in the Conflicts of Interest Policy).
Contact Officer	A person appointed by the Senior Deputy Vice-Chancellor for contact on matters related to sexual harassment, harassment, discrimination, or victimisation.
Course	A program of study approved for delivery.
Director, Strategic and Governance Services Centre	The person holding the position of Director, Strategic and Governance Services Centre at the University (or substantially equivalent role), or a person acting in that position, or their nominee.
Director, Student Administration	The person holding the position of Director, Student Administration at the University (or substantially equivalent role), or a person acting in that position, or their nominee.
Director, Student Life	The person holding the position of Director, Student Life at the University (or substantially equivalent role), or a person acting in that position, or their nominee.
Examination	An invigilated form of assessment where a Student is required to undertake specific Assessment Tasks within a specified period of time, and where the location and access to external assistance is regulated (excludes a thesis examination but may include a Central Examination, School Examination, or both as the context requires).
Executive Dean	An executive leader of a School appointed by the Vice-Chancellor (or a substantially equivalent role within a School or Teaching Area, including the Director, Western Australian Academy of Performing Arts (WAAPA), the Dean, South West Campus, the Head, Kurongkurl Katitjin, or the Director, Centre for Learning and Teaching), or a person acting in that position, or their nominee.
Expel	To cancel a Student's enrolment in a Course at the University and to preclude that Student from re-enrolling at the University.
General Misconduct	<p>Any conduct by a Student (other than Academic Breach or Academic Misconduct), on University Premises or in connection with a University-related Activity (including placements or work integrated learning) that:</p> <ul style="list-style-type: none"> (a) breaches any written law of the state, territory or country in which the relevant University Premises or Activity is located or is connected with, to the extent the breach will or may affect the University; (b) breaches, or is deemed or stated to be misconduct under, a Council Resolution, or the University's Statutes, Rules, By-laws, policies, procedures or guidelines; (c) causes or is likely to cause a disruption or an adverse effect to any University teaching, study, research, placement, Examination, Assessment Task, proceeding, ceremony or Activity; (d) brings the University into disrepute; (e) interferes with the reasonable freedom of University Staff, student and visitors to pursue their studies, research duties and other lawful activities; (f) contravenes any lawful direction given by a University Staff member or representative, including a direction to leave or refrain from entering a University Premises or Activity; (g) interferes with the freedom of movement or expression of any University Staff, Student, placement host, or visitor invited by the University; (h) obstructs or defers, or attempts to obstruct or defer, any University Staff member or representative from performing their duties (including bribery);

Term	Definition
	<ul style="list-style-type: none"> (i) unreasonably discloses confidential information or Intellectual Property in the University's possession or control; (j) damages, or is likely to damage, or is considered wrongful dealing with, any property or facility in the University's possession or control, or in the possession or control of a person at a University Premises; (k) constitutes a misuse of information technology facilities and software belonging, leased or licensed to the University; (l) constitutes a threat, assault, attempt to assault, harassment, vilification, victimisation or unlawful discrimination towards any University Staff member, Student or visitor, or any other person at a University Premises or connected with an Activity; (m) is misleading or dishonest and is in connection with a Student's enrolment or studies (including impersonation and forgery); (n) includes the use of offensive or discriminatory language against any University Staff member, Student or visitor, or any other person at a University Premises or connected with an Activity; or (o) constitutes a failure to abide by any outcome, decision or penalty imposed under any University Statute, Rule, By-law, policy, procedure or guideline.
General Misconduct Appeals Committee	The appeals committee established pursuant to these Rules.
GMAC Executive Officer	A Staff member appointed by the Director, Strategic and Governance Services Centre to assist the General Misconduct Appeals Committee.
Intellectual Property	All present and future rights resulting from intellectual activity, whether capable of protection by statute, common law or in equity, including all rights in relation to copyright, designs, discoveries, inventions, know-how, patents, registered and unregistered trade marks, trade secrets, circuit layouts and plant varieties, and all rights and interests of a similar nature, together with any documentation or application relating to such rights and interests, but excluding moral rights as conferred by the <i>Copyright Act 1968</i> .
Officer	Any or all Staff (as the context requires) appointed to or acting in the position of Executive Dean, Director, Student Life, Director, Student Administration or Dean, South West Campus, or their nominee, or any other person appointed by the Senior Deputy-Vice Chancellor.
Outcome	An action, direction, non-financial penalty or financial penalty, defined as an "Outcome" in Rule 7.
School	An academic organisational unit of the University, including the Western Australian Academy of Performing Arts (WAAPA), but not including the Graduate Research School, South West Campus, Kurongkurl Katitjin, the Centre for Learning and Teaching, or other Teaching Areas.
Senior Officer	Any or all Staff (as the context requires) appointed to or acting in a position of Vice-Chancellor, Senior Deputy Vice-Chancellor, Deputy Vice-Chancellor, Vice-President, or Pro-Vice-Chancellor.
Staff	Any person employed or engaged by the University, including adjunct or honorary lecturers, and employees of third party organisations teaching or delivering services in partnership with the University.
Student	A person who is enrolled at the University as prescribed in the Admission, Enrolment and Academic Progress Rules at the time of any alleged General Misconduct.
Teaching Area	An area within the University, other than a School, which has ownership of, or responsibility for, delivery or teaching of a Course or Unit, including the Graduate

Term	Definition
	Research School, South West Campus, Kurongkurl Katitjin and the Centre for Learning and Teaching.
Unit	A Unit of study or Unit of Competency delivered by or on behalf of the University.
Unit of Competency	The specification of the standards of performance required in the workplace as defined in a VET training package.
University Premises	Includes: <ul style="list-style-type: none"> • University lands, meaning those lands, vested in or under the management and control of the University, which are declared to be University lands pursuant to section 29(2) of the Act; • all campuses and other assets and facilities owned, leased, provided to, occupied or controlled by the University, whether in Australia or overseas; • any residential college or off-campus accommodation owned, operated by, or associated with the University; • the location of clinical or professional placements or internships that form the whole or part of a Course offered by the University; • the location of camps, field placements, workshops and any other Activities controlled or supervised by the University, its agents or its third party providers; • any third party premises which is being used for the purpose of the University's delivery of services, including other institutions where the Courses of the University are delivered; • any other place in the temporary possession, whether actual or constructive, of the University; and • any area over which the University has a right of access or egress.

2.1 Unless the contrary intention appears, any terms which are not defined in these Rules but are defined in [University Statute No. 1 – Interpretation](#) will have the meaning given to them in that Statute.

2.2 The word *including* is not used as a word of limitation and means “including but not limited to”.

3 Summary powers prior to report and investigation

3.1 All Students are required to produce proof of identity and, if appropriate, proof of authorised access to any University facility when requested to do so by a Staff member.

3.2 A Staff member who believes on reasonable grounds, that:

3.2.1 a Student is committing, has committed or is likely to commit, an act of General Misconduct; and

3.2.2 the action is necessary to preserve order and/or allow for an Activity to be properly conducted, may:

3.2.3 require the Student to leave or be excluded from the Activity;

3.2.4 prohibit the Student from participating in that Activity or a related Activity, for a period not exceeding 24 hours; and/or

3.2.5 prohibit the Student from using University facilities and/or processes which are connected with the act of General Misconduct or a relevant Activity, for a period not exceeding 24 hours,

and will then refer the matter to an Officer or Senior Officer in accordance with Rule 4.

3.3 Where an Officer is aware of an allegation of General Misconduct and believes that there is an immediate or continuing risk of:

3.3.1 serious injury or detriment to any person;

- 3.3.2 serious detriment to the University's interests or reputation;
- 3.3.3 substantial damage to University property; or
- 3.3.4 severe disruption to any Activity

the Officer must immediately refer the matter to a Senior Officer.

- 3.4 A Senior Officer may direct a Student to leave University Premises where the Senior Officer believes, acting reasonably, that the:
 - 3.4.1 the Student is committing, has committed, or is likely to commit, an act of General Misconduct; and
 - 3.4.2 there is an immediate or continuing risk of serious injury or detriment to any person, serious detriment to the University's interests or reputation, substantial damage to University property, or severe disruption to any Activity,and must then cause for an investigation to be commenced in accordance with Rule 6.
- 3.5 Reasonable grounds for a belief may exist even when the relevant person is relying on what they have been told by another person.

4 Reporting allegations of General Misconduct

- 4.1 Subject to Rule 5, an allegation of General Misconduct is to be reported to an Officer or Senior Officer for investigation under Rule 6, as soon as possible after the person reporting becomes aware of the concern. A Staff member must report any allegations of General Misconduct to an Officer or Senior Officer within 14 days of becoming aware of the allegation.

5 University Contact Officers

- 5.1 A person may report a complaint of sexual harassment, harassment, discrimination or victimisation to a Contact Officer or the Director, Student Life. The role of the Contact Officer or Director, Student Life in this context is to provide assistance to Students and Staff, by giving affected persons referral information on the University's policies and practices, and details of services available to assist in resolving issues of concern.
- 5.2 The Contact Officer or Director, Student Life (acting in this context), must not refer a matter to an Officer for investigation as an allegation of General Misconduct unless they have the consent of the affected person, there is imminent danger of serious harm to self or others, or there is a legal obligation to disclose the information.

6 Investigation of Allegations of General Misconduct

- 6.1 An Officer or Senior Officer who becomes aware of an allegation of General Misconduct under Rule 3.4 or Rule 4, must commence an investigation into the allegation as soon as practicable, and in any event within 14 days.
- 6.2 The Officer or Senior Officer investigating an alleged act of General Misconduct must not have a Conflict of Interest.
- 6.3 A person who has held the office of an Officer or a Senior Officer may continue to investigate an allegation of General Misconduct in accordance with these Rules notwithstanding the expiry of the term of appointment or office of that Officer or Senior Officer, provided that they continue to be a Staff member.
- 6.4 An Officer or Senior Officer may, at any time during an investigation, refer the matter to another Officer or Senior Officer, for investigation, if they:
 - 6.4.1 believe that it is more appropriate for the matter to be dealt with by another person, due to a Conflict of Interest or otherwise; and
 - 6.4.2 have first consulted with the relevant person about the referral.
- 6.5 The Officer or Senior Officer investigating an alleged act of General Misconduct:

- 6.5.1 may seek evidence from such sources and consult with such persons as they consider appropriate, in their absolute discretion;
- 6.5.2 must provide the Student with any documents or information being relied upon as evidence (the Officer or Senior Officer can redact portions of documents or information not being relied upon as evidence), and provide the Student with a reasonable opportunity to respond;
- 6.5.3 must, as soon as practicable:
 - a. notify the Student concerned and provide sufficient details in writing of the alleged misconduct to enable the Student to respond to the allegation; and
 - b. inform the Student that any written response to the allegations and/or a request to be heard at any interview must be received within 14 days of the date of notification to the Student of the alleged misconduct;
- 6.5.4 must act in accordance with principles of natural justice;
- 6.5.5 must act as quickly as practicable in the circumstances, and
- 6.5.6 must make decisions on the balance of probabilities which are fair and reasonable, having regard to the substantial merits of a matter.
- 6.6 If the Student requests an interview under Rule 6.5.3(b), the Officer or Senior Officer will arrange an interview with the Student within 14 days of the Student making the request. Interviews may, at the discretion of the Officer or Senior Officer, be conducted in person, by telephone, teleconference or videoconference or by any other means, provided that the Student's preference is considered when making that decision.
- 6.7 The Student may be accompanied at any interview by a Student Guild representative, friend, or family member, but may not be legally represented. The accompanying person may only act as the Student's advocate where invited to do so by the Officer or Senior Officer conducting the interview.
- 6.8 The Officer or Senior Officer may deal with the matter in the absence of any response from the Student under Rule 6.5.2 or 6.5.3.
- 6.9 An Officer or Senior Officer has the power to discontinue or dismiss an investigation where they consider there is insufficient evidence to warrant further investigation. Where a Student has been notified of an investigation, the Officer or Senior Officer must provide written notice of a discontinuance or dismissal to the Student.
- 6.10 Notwithstanding Rule 6.9, an Officer or Senior Officer can re-investigate a matter where new evidence becomes available.
- 6.11 If the Officer or Senior Officer determines that an act of General Misconduct has occurred, they must:
 - 6.11.1 give the Student the opportunity to be heard on the issue of any Outcome to be imposed;
 - 6.11.2 in imposing an Outcome described in Rule 7, consider all relevant factors, including:
 - a. the Student's history (if any) of previous findings of General Misconduct;
 - b. mitigating or aggravating factors; and
 - c. the impact of any Outcome on the Student's overall program of study, including any delay that the Outcome may cause to the completion of that program;
 - 6.11.3 within 7 days of the finding and the Outcome being determined, provide the Student with written notice of their reasons for that finding and for the Outcome imposed; and
 - 6.11.4 inform the Student of the matters set out in Rule 8 (appeals).
- 6.12 The Officer or Senior Officer will provide a copy of the notices referred to in Rules 6.9 and 6.11 to the Director, Student Administration for retention in University records.
- 6.13 The Officer or Senior Officer will give due consideration, subject to University Rules, policies and procedures, as to any information relating to the matter that may be disclosed to any complainant or person affected, or to the police, but is not obliged by these Rules to disclose such information.

7 Outcomes

- 7.1 An Officer may, for any act of General Misconduct by a Student, impose one or more of the following Outcomes:
- 7.1.1 fine the Student an amount not exceeding \$250;
 - 7.1.2 require a Student to make restitution of an amount not exceeding \$500 to the University for property lost, damaged or destroyed as a result of the misconduct;
 - 7.1.3 deprivation of credit for academic work; and/or
 - 7.1.4 suspend the Student for a period not exceeding 28 days from any participation in Activities or the use of facilities or services for which the Officer is responsible.
- 7.2 A Senior Officer may, for an act of General Misconduct by a Student, impose one or more of the following Outcomes:
- 7.2.1 fine the Student an amount not exceeding \$1,000;
 - 7.2.2 require a Student to make restitution of an amount not exceeding \$1,000 to the University for property lost, damaged or destroyed as a result of the General Misconduct;
 - 7.2.3 deprivation of credit for academic work;
 - 7.2.4 suspend the Student for a period not exceeding 12 months from any participation in University Activities or the use of University facilities or services;
 - 7.2.5 suspend the Student's enrolment; and/or
 - 7.2.6 Expel the Student.
- 7.3 The persons authorised to impose an Outcome under these Rules may:
- 7.3.1 caution or reprimand the student instead of, or in addition to, any Outcome that might be imposed for General Misconduct; and/or
 - 7.3.2 defer the imposition of an Outcome until the time for appealing against that Outcome has expired, or on such terms and conditions, including undertakings by the Student, as the person granting the deferment considers appropriate.
- 7.4 If both a fine and suspension from participation in University Activities or the use of services or facilities of the University are imposed as Outcomes, the person imposing the Outcomes may stipulate that the period of suspension is to conclude on payment in full of the fine or restitution.
- 7.5 A Student Expelled from the University under these Rules may only apply to re-enrol as a Student if the Senior Deputy Vice-Chancellor consents in writing. That consent is in the absolute discretion of the Senior Deputy Vice-Chancellor and may be given subject to such terms and conditions, including undertakings by the Student, as the Senior Deputy Vice-Chancellor believes are suitable.
- 7.6 The Director, Student Administration may take or direct that one, some or all of the following actions be taken if a Student has not paid a fine or restitution owing to the University:
- 7.6.1 withhold official notification of the Student's marks or grades;
 - 7.6.2 defer the conferral of an Award or certificate on the Student; and/or
 - 7.6.3 not permit the Student to re-enrol in a subsequent teaching period..
- 7.7 An Outcome applied pursuant to Rule 7 does not otherwise limit the University's rights that may be available at law.

8 Appeal to a General Misconduct Appeals Committee

- 8.1 A Student may appeal to the General Misconduct Appeals Committee against a finding of General Misconduct, the Outcome imposed, or both, on any one or more of the following grounds:
- 8.1.1 the Student did not have sufficient opportunity to present their case prior to the decision being made;

- 8.1.2 the decision was affected by discrimination, prejudice, or bias against a Student;
 - 8.1.3 due process was not carried out in accordance with these Rules;
 - 8.1.4 the decision was made contrary to the evidence provided to the Officer or Senior Officer; or
 - 8.1.5 the Outcome imposed was excessive in the circumstances.
- 8.2 An appeal must be in writing, specify in detail the grounds for the appeal, and be lodged with the Director, Strategic and Governance Services Centre within 30 days of notification to the Student of the relevant decision or Outcome.
- 8.3 The General Misconduct Appeals Committee will comprise:
- 8.3.1 the Chair of the Academic Board or their nominee, who will act as Chair of the General Misconduct Appeals Committee;
 - 8.3.2 a Staff member appointed by the Senior Deputy Vice-Chancellor, or where the Senior Deputy Vice-Chancellor was the investigating Senior Officer, a Staff member appointed by the Vice-Chancellor; and
 - 8.3.3 the President of the University Student Guild or their nominee, who must be an enrolled Student at the time of the first hearing convened by the General Misconduct Appeals Committee.
- 8.4 The General Misconduct Appeals Committee as constituted at the commencement of the first hearing of an appeal, may continue to hear an appeal against a finding and/or Outcome imposed under these Rules, notwithstanding the expiry of the term of appointment or office of any member of the General Misconduct Appeals Committee, provided that they continue to be a Staff member or a Student.
- 8.5 The quorum for a hearing by the General Misconduct Appeals Committee is two members, one of whom must be the Chair.
- 8.6 Each General Misconduct Appeals Committee member must not have had any involvement with the matters that constituted the alleged misconduct or the investigation of the alleged misconduct, or otherwise have a Conflict of Interest.
- 8.7 The Director, Strategic and Governance Services Centre will appoint a person to act as GMAC Executive Officer. The GMAC Executive Officer may assist during any hearing of the General Misconduct Appeals Committee but will not be entitled to vote on any matter before the General Misconduct Appeals Committee.
- 8.8 The General Misconduct Appeals Committee may dismiss an appeal without a hearing if they determine that the appeal is frivolous, vexatious or devoid of merit or that the stated grounds for the appeal are insufficiently particularised, provided that if the stated grounds for the appeal are insufficiently particularised the Student must first be given the opportunity to provide further particulars.
- 8.9 Unless dismissed under Rule 8.8, the General Misconduct Appeals Committee must:
- 8.9.1 convene a hearing to determine the appeal within 21 days of the appeal being lodged;
 - 8.9.2 give the Student at least 7 days' notice of the proposed hearing time;
 - 8.9.3 permit the Officer or Senior Officer who investigated the matter to be present and participate throughout the hearing, including asking witnesses to attend the hearing and asking questions of witnesses and the Student; and
 - 8.9.4 permit the University to be represented at the hearing by a Staff member (other than in-house legal counsel) nominated by the Senior Deputy Vice-Chancellor or the Director, Strategic and Governance Services Centre, who may be present throughout the hearing, ask witnesses to attend the hearing, and ask questions of witnesses and the Student.
- 8.10 The Student may be accompanied at a hearing by a Student Guild representative, friend, or family member, but may not be legally represented. That person may act as the Student's advocate at the hearing. The Student and their advocate will be entitled to be present throughout the hearing, ask witnesses to attend the hearing, and ask questions of witnesses and the University representative.
- 8.11 The General Misconduct Appeals Committee may:

- 8.11.1 take any actions necessary to maintain order and decorum at a hearing;
- 8.11.2 require evidence or argument to be presented in writing and decide on the matters on which it will hear oral evidence or argument;
- 8.11.3 limit the time available for presenting the respective cases of parties before it at a hearing, to an extent that it considers it would not impede a fair and adequate hearing of the matter; and/or
- 8.11.4 adjourn a proceeding at any time.
- 8.12 An appeal must be held in private unless the Chair of the General Misconduct Appeals Committee determines otherwise.
- 8.13 Subject to principles of procedural fairness and natural justice, the General Misconduct Appeals Committee is not bound by the rules of evidence or other technicalities or legal formalities and may inform itself in relation to any matter in any manner that it considers appropriate, providing that the Committee must:
 - 8.13.1 give both the University and the Student the opportunity to present their case and to correct or contradict any relevant statement that either party believes to be damaging to that party's case; and
 - 8.13.2 ensure that all documents that are to be relied on by either party have been made available to the other party as soon as reasonably practicable before the hearing.
- 8.14 If the Student fails to appear at a hearing, the General Misconduct Appeal Committee may dismiss the appeal, determine the appeal, or adjourn the hearing to another date and time.
- 8.15 After consideration of the appeal, and within 15 days of the end of the hearing, the General Misconduct Appeals Committee may:
 - 8.15.1 if the appeal is against a finding only:
 - a. dismiss the appeal; or
 - b. uphold the appeal and set aside the finding and the Outcome;
 - 8.15.2 if the appeal is against an Outcome only:
 - a. dismiss the appeal; or
 - b. uphold the appeal, set aside the Outcome, and substitute an Outcome that could have been ordered by the original decision-maker.
 - 8.15.3 if the appeal is against both a finding and an Outcome:
 - a. dismiss the appeal; or
 - b. uphold the appeal against the finding and set aside the finding and the Outcome; or
 - c. dismiss the appeal against the finding but uphold the appeal against the Outcome, and thereafter set aside the Outcome and substitute an Outcome that could have been ordered by the original decision-maker.
- 8.16 The Chair will have a deliberative vote and, and a casting vote in the event of a deadlock.
- 8.17 The General Misconduct Appeals Committee will not have the power to order costs of the appeal to either the Student or the University.
- 8.18 The GMAC Executive Officer will make a written record of the proceedings of the General Misconduct Appeals Committee that is to include:
 - 8.18.1 its procedures;
 - 8.18.2 details of any persons in attendance;
 - 8.18.3 a summary of the evidence and submissions presented to any hearing of the General Misconduct Appeals Committee;
 - 8.18.4 the final decision(s) of the General Misconduct Appeals Committee; and

8.18.5 the reason(s) for each decision and the Outcomes imposed.

- 8.19 The GMAC Executive Officer must inform the Student, the Director, Student Administration, and the Director, Strategic and Governance Services Centre, in writing of any decision(s) of the General Misconduct Appeal Committee within 15 days of the conclusion of the hearing, and may inform any other members of Staff as appropriate in the circumstances.
- 8.20 The General Misconduct Appeals Committee is the final avenue of appeal within the University for General Misconduct matters.

9 Electronic Device Infringements

9.1 Where:

9.1.1 a Student:

- a. has in their possession (including on their person, desk space, or underneath their desk or chair), during a Central Examination, a mobile telephone or unauthorised electronic device; or
- b. owns or is responsible for a mobile telephone or unauthorised electronic device which is audible or rings during a Central Examination;

9.1.2 there is no indication or evidence that the Student was using or attempting to use the mobile telephone or unauthorised electronic device during the Central Examination; and

9.1.3 there is no basis to suggest the Student intended to commit an act of Academic Misconduct, the Director, Student Administration may issue a Student with an electronic device infringement. An electronic device infringement may include a fine, of up to an amount determined by the Director, Student Administration and published by the University.

9.2 The Director, Student Administration may rely upon information provided by a Staff member or Examination supervisor or invigilator. No further investigation of General Misconduct is required once an electronic device infringement is issued. A student may appeal under Rule 8 against an electronic device infringement.

10 Service of Documents

10.1 Where a notice or other document is permitted or required by these Rules to be given or served, service of the notice or document may be effected on the person to be served by:

10.1.1 giving the notice or document directly to that person by hand;

10.1.2 sending, as an email message, the notice or document to that person's University email address;

10.1.3 sending, in the body of an email message to that person's University email address, a URL (uniform resource locator) link to the notice or document, together with notification that the person required to download the notice or document;

10.1.4 posting the notice or document as a letter to that person's address as recorded on any Student management system used by the University; or

10.1.5 leaving it for that person at the address recorded on the University's Student management system.

10.2 Where the notice or document is sent in accordance with Rules 10.1.2 and 10.1.3, service is deemed to occur at the time of sending the message.

10.3 Where the notice or document is posted in accordance with Rule 10.1.4, service is deemed to occur at the expiration of five days from the time of posting.

11 Timing and extensions of time

- 11.1 In calculating days as prescribed by these Rules, the following days (“Excluded Periods”) will not be taken into account:
 - 11.1.1 the University’s Essential Student Services Period including weekends immediately before and after;
 - 11.1.2 Good Friday to Easter Monday inclusive;
 - 11.1.3 Australia Day (on the day it is observed by the University); and
 - 11.1.4 ANZAC Day (on the day it is observed by the University).
- 11.2 Any act that occurs on a day within an Excluded Period will be deemed to have occurred the next day immediately following the end of the Excluded Period.
- 11.3 The Senior Deputy Vice-Chancellor (or nominee) may extend or abridge any period of time specified in these Rules, and may do so after the expiration of such period, where there are reasonable circumstances for doing so and having regard to principles of natural justice.

Approved by Council on 7 December 2006 under Amending Rule No 4 of 2006. Effective from 16 March 2007, the day Amending Statute No 4 of 2006 (Statute No. 22 – Student Conduct) was published in the Government Gazette.

Revision History:

Rule Amendment 6 of 2015 (10 December 2015)

Rule Amendment 4 of 2019 (3 July 2019, effective 15 July 2019)

Rule Amendment 7 of 2019 (12 December 2019, effective 1 January 2020)

Correction of manifest error (8 March 2021)

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