

# UNE Council Charter - Annexure 2 - Appointment of Chancellor and Deputy Chancellor

## Section 1 - Objective and Scope

(1) This Annexure:

- a. provides the method by which the Chancellor and Deputy Chancellor are appointed;
- b. covers the circumstances where there is a vacancy or anticipated vacancy in the office of Chancellor or Deputy Chancellor; and
- c. applies to UNE Representative including members of the Council and to the University Secretary.

## Section 2 - Appointment Guidelines

### Chancellor appointment

(2) A Chancellor holds office for a period of five years, as per the [University of New England By-Law 2005](#) 7(1)(UNE By-law). When appointing a Chancellor:

- a. the date of election will be deemed to be the date the resolution to appoint the Chancellor is made, or the date on which an incumbent Chancellor's term ends, whichever is the later, unless otherwise specified;
- b. the Chancellor must be an external person, as defined in section 8 of the [University of New England Act 1993 \(NSW\)](#) (UNE Act);
- c. this person does not have to be a current member of the Council; and
- d. if a member of the Council is appointed as Chancellor their position on the Council is deemed vacant and will be filled in accordance with the requirements of that position.

(3) Approximately 12 months prior to the expiry of their term the incumbent Chancellor must advise the Council whether they wish to stand for a further term.

- a. If the Chancellor indicates they wish to stand for an additional term:
  - i. then as soon as practicable a resolution to appoint the incumbent Chancellor for a further term will be put to the Council and determined by a majority vote;
  - ii. if a further term will result in the incumbent Chancellor being appointed to serve for more than 12 consecutive years as a Council member, then the appointment will be subject to the Council expressly resolving to appoint the individual for a period of more than 12 years, as per section 9(3) of the [UNE Act](#); and
  - iii. if the Council resolves to appoint the incumbent Chancellor for a further term, then the Chancellor will be so appointed and serve a new term commencing upon expiry of their current term.
- b. If the incumbent Chancellor resolves not to remain for a further term, or the resolution to appoint the incumbent Chancellor is not passed by Council, or the Office of the Chancellor is vacant or filled temporarily, then the Council will convene a Chancellor Selection Committee to undertake a search for a new Chancellor.

(4) The powers and obligations of the [Chancellor Selection Committee](#) are set out in the terms of reference. When appointing the Chancellor:

- a. the Committee must submit its recommended candidate to the Council as soon as practicable;
- b. a resolution to appoint the recommended candidate as Chancellor will be put to the Council and determined by majority vote;
- c. candidates who are also Council members, and whose appointment will result in their being appointed to the Council for more than 12 consecutive years will be subject to the Council expressly resolving to appoint that person for more than 12 consecutive years, as per Section 9(3) of the [University of New England Act 1993 \(NSW\)](#); and
- d. if a recommended candidate is not appointed, then the [Chancellor Selection Committee](#) may recommend another candidate, or make undertake a further search for suitable candidates.

### **Deputy Chancellor Appointment**

(5) A Deputy Chancellor holds office for a period of two (2) years, as per the [University of New England Act 1993 \(NSW\)](#) (section 2). When appointing the Deputy Chancellor:

- a. the date of election will be deemed to be the date the resolution to appoint the Deputy Chancellor is made, or the date on which an incumbent Deputy Chancellor's term ends, whichever is the later, unless otherwise specified;
- b. the Council can only appoint a person as Deputy Chancellor if they are a member of the Council;
- c. the appointee holds office as Deputy Chancellor subject to them continuing to hold their office as a Council Member;
  - i. the Deputy Chancellor's underlying office of a Council Member (for example, 'Minister appointed member') is retained and the member will return to that office when they cease to be Deputy Chancellor; and
- d. the Deputy Chancellor must be an external person, as defined in section 8 of the [University of New England Act 1993 \(NSW\)](#).

(6) The incumbent Deputy Chancellor must provide notice to the Council whether they wish to stand for a further term prior to the terms' expiry. They are encouraged to provide this notice approximately four (4) months in advance of the conclusion of the term. If the Deputy Chancellor indicates they wish to stand for a further term:

- a. as soon as practicable a resolution to appoint the Deputy Chancellor for a further term will be put to Council and determined by a majority vote; and
- b. if the resolution is passed then the incumbent Deputy Chancellor will be so appointed and commence their additional term upon expiry of their current term.

(7) If the above resolution to appoint is not passed, the incumbent Deputy Chancellor gives notice that they do not wish to undertake a further term, or the office of the Deputy Chancellor is vacant or filled temporarily, then the Council via the University Secretary will call for nominations from Council members for the office of Deputy Chancellor. When appointing the Deputy Chancellor:

- a. self-nominations are permitted;
- b. a nomination must be seconded by another member of the Council;
- c. the nominee must state whether they accept the nomination;
- d. the University Secretary must conduct the process during a Council meeting or out of session;
- e. if there is one valid nomination, as soon as practicable thereafter a resolution to appoint the nominee will be

put to Council and determined by a majority vote; and

- f. if there are multiple nominees then the Council will vote on the nominations and the nominee with the highest number of votes will be appointed as Deputy Chancellor.

(8) To respect the privacy of candidates and nominees, matters under the appointment of Chancellor and Deputy Chancellor will be confidential, and resolutions in relation to it will be considered in confidential session of the Election Council Meeting. The result of an appointment process will be published by the University Secretary after the confidential session has closed.

## Section 3 - General

(9) The Council makes this Rule pursuant to Section 25 of the [University of New England By-law 2005](#).

(10) To the extent this Rule conflicts with the [University of New England Act 1993 \(NSW\)](#) or [University of New England By-law 2005](#), the [UNE Act 1993](#) or [UNE By-law](#) prevails to the extent of the conflict.

(11) This Rule operates as a delegation by Council under Section 17 of the [University of New England Act 1993 \(NSW\)](#).

## Status and Details

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## Glossary Terms and Definitions

**"UNE Representative"** - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

**"UNE Act"** - Is the University of New England Act 1993 (NSW).

**"UNE By-law"** - Means the University of New England By-law 2005 (NSW).