
STATUTES OF THE UNIVERSITY OF THE SOUTH PACIFIC

PART 1	PRELIMINARY.....	2
1.	Definitions.....	2
2.	Interpretation of Statutes.....	3
3.	Commencement	3
PART 2	OFFICERS OF THE UNIVERSITY	4
4.	Officers of the University	4
5.	The Chancellor.....	4
6.	The Pro-Chancellor.....	4
7.	The Vice-Chancellor and President	5
8.	Deputy Vice-Chancellors.....	6
9.	Vice-Presidents	7
10.	The Visitor	7
11.	The Auditor.....	7
PART 3	COUNCIL AND COUNCIL COMMITTEES	8
12.	Council Membership.....	8
13.	Alternate Members.....	9
14.	Criteria for Membership.....	9
15.	The Deputy Chair of the Council / Deputy Pro-Chancellor.....	10
16.	Term of Office	10
17.	Vacation of Office.....	10
18.	Casual Vacancies	11

19.	Proceedings of the Council not affected by vacancies, etc	11
20.	Disclosure of Interest	11
21.	Powers, Duties and Functions of the Council.....	12
22.	Meetings of the Council.....	13
23.	Circulation of Council Resolutions.....	13
24.	Executive Committee of the Council	14
25.	Other Committees of Council	14
26.	Power of Delegation	15
PART 4 THE SENATE		15
27.	Composition of Senate.....	15
28.	Role of Senate	16
29.	Powers of Senate.....	16
30.	Meetings of Senate and Senate Committees	17
PART 5 DISCIPLINE ETC OF STAFF AND STUDENTS		18
31.	Discipline of Staff	18
32.	Admission and Discipline of Students	18
PART 6 MISCELLANEOUS.....		18
33.	Procedure	18
34.	Service of Notices and Documents	19
35.	Transitional Provisions	19

PART 1 PRELIMINARY

1. Definitions

(1) In these statutes, unless the context otherwise requires:

“academic staff” means Professors, the University Librarian, Associate Professors, Senior Lecturers and Lecturers of the University; and includes such other persons and categories of persons as the Council shall determine;

“academic unit” means faculties, schools, departments, institutes, centres and other academic divisions requiring specific budgetary allocation;

“Charter” means the Charter of the University;

“Council” means the Council of the University;

“Executive Committee” means the Executive Committee of the Council;

“Member country” refers to the countries referred to in Statute 12(1)(c)(d) and (e);

“Ordinances” means Ordinances made pursuant to the Charter or these Statutes;

“Region” means the geographical area comprising the member countries of the University and “regional member” refers to those member countries or their appointees on the Council;

“Regulations” means Regulations made pursuant to the Charter or these Statutes;

“Senate” means the Senate of the University;

“Students’ Association” means the Students’ Association of the University or such other organisation of the students of the University as is recognised by the Council for the purposes of these Statutes;

“University” means the University of the South Pacific;

“Year” means a calendar year.

- (2) Words defined in the Charter or these Statutes shall have the same meaning in the Ordinances and Regulations unless the context otherwise requires.
- (3) Where the name of any University officer or position or any member country changes, but the office, position or country remains the same or substantially the same as that described in these Statutes, these Statutes shall be read as if they referred to the same officer, position or country.

2. Interpretation of Statutes

These Statutes shall be interpreted in such manner as not to conflict with the Charter.

3. Commencement

- (1) These Statutes take effect on 17 May 2016.
- (2) The Statutes with an effective date of 1 August 2009 cease to have effect from the day of commencement of the amended Statutes, subject to this Statute and the transitional provisions in Statute 35.
- (3) Any ordinances or regulations made or authorised by the Council of the University under the provisions of repealed Statutes:
 - (a) continue in force as if they had been made under these Statutes;
 - (b) may be amended and revoked accordingly.
- (4) Every action and decision of the Council, the Senate of University or an officer of the University which was properly taken under the repealed Statutes shall be deemed to have been properly taken under these Statutes.

PART 2 OFFICERS OF THE UNIVERSITY

4. Officers of the University

- (1) The officers of the University are:
 - (a) The Chancellor;
 - (b) The Pro-Chancellor;
 - (c) The Vice-Chancellor (who may also be referred to as the President);
 - (d) One or more Deputy Vice-Chancellors; and
 - (e) Vice-Presidents.
- (2) The Council may appoint such other officers as it thinks fit with such duties, and upon such terms and conditions, as it determines.

5. The Chancellor

- (1) The Chancellor shall be appointed by the Council from one of the member countries.
- (2) The Chancellor shall hold office for a term of one year.
- (3) The Chancellor may resign by writing addressed to the Council or may be removed by resolution of the Council.
- (4) If the office of Chancellor becomes vacant before the expiration of his or her term of office, the vacancy shall be filled at the next meeting of the Council or the Executive Committee (whichever occurs first) by another person from that member country for the remainder of his or her predecessor's term.

6. The Pro-Chancellor

- (1) The Pro-Chancellor shall be appointed by the Council, provided that the Pro-Chancellor shall not be a member of staff or a student of the University.
- (2) The Pro-Chancellor shall hold office for a term of three years.
- (3) The appointment of the Pro-Chancellor may be renewed by the Council for further terms of up to 3 years.
- (4) If a person who is not a member of the Council is appointed Pro-Chancellor, that person shall on appointment become a member of the Council ex-officio.
- (5) If a member of the Council is appointed Pro-Chancellor, his or her position as a Council member becomes vacant, and a new member is to be appointed by the body which appointed that member.
- (6) The Pro-Chancellor may resign by writing addressed to the Council.
- (7) The Pro-Chancellor may be removed by resolution of the Council.
- (8) If the office of the Pro-Chancellor becomes vacant before the expiration of his or her term of office, the vacancy shall be filled at the next meeting of the Council for a term of up to three years.

7. The Vice-Chancellor and President

- (1) The Vice-Chancellor shall hold office for a term of 5 years and on such other terms and conditions as the Council determines.
- (2) The Vice-Chancellor's contract may be renewed by the Council for further terms of up to 5 years.
- (3) The Vice-Chancellor shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.
- (4) The Vice-Chancellor may resign by writing addressed to the Pro-Chancellor.
- (5) The Vice-Chancellor may be removed by resolution of the Council.
- (6) The Vice-Chancellor shall be responsible to the Council as the chief academic and administrative officer and President of the University.
- (7) The Vice-Chancellor shall exercise delegations of powers, duties and functions made by the Council or the Senate as those delegations are specified in writing.
- (8) The Vice-Chancellor, as prescribed in Statute 12, shall be a member of Council.
- (9) The Vice-Chancellor may invite staff members to attend meetings of Council.
- (10) The Vice-Chancellor, as prescribed in Statutes 24 and 25, shall be a member of the Executive Committee and an ex-officio member of all other committees of Council.
- (11) The Vice-Chancellor in consultation with the Pro-Chancellor shall determine whether the Executive Committee meets more regularly than as prescribed in Statute 24.

- (12) The Vice-Chancellor shall determine, as prescribed in Statute 9, those aspects of the administration of the University for which a Vice-President shall be responsible.
- (13) The Vice-Chancellor, as prescribed in Statute 26(3) may from time to time, either generally or particularly, by writing, delegate to any member of the staff of the University:
 - (a) Any functions of the Vice-Chancellor under the Charter or Statutes; and
 - (b) Such of the functions delegated by the Council to the Vice-Chancellor under this section as the Council may have approved.
- (14) The Vice-Chancellor shall be the Chair of the Senate and an ex-officio member of the Senate, as prescribed in Statute 27.
- (15) The Vice-Chancellor, as prescribed in Statute 30(3), shall be, unless otherwise specifically provided in any Statutes or Ordinances, an ex-officio member of all committees of the Senate.
- (16) The Vice-Chancellor, as prescribed in Statute 32, may:
 - (a) exclude or authorise the exclusion of any person from any part of the University or premises in use by it; or
 - (b) refuse to admit any person as a student of the University.
- (17) The Vice-Chancellor must report to each meeting of the Council on the working of the University.
- (18) A delegation under this Statute does not affect or prevent the performance of any function by the Vice-Chancellor and, as prescribed in Statute 26, does not affect the responsibility of the Vice-Chancellor for the actions of any person under the delegation.

8. Deputy Vice-Chancellors

- (1) The Council shall determine from time to time the number of Deputy Vice-Chancellors of the University.
- (2) A Deputy Vice-Chancellor shall hold office for a term of 5 years and on such other terms and conditions as the Council determines.
- (3) A Deputy Vice-Chancellor shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.
- (4) A Deputy Vice-Chancellor's contract may be renewed by the Council for further terms of up to 5 years.
- (5) A Deputy Vice-Chancellor may resign by writing addressed to the Vice-Chancellor.
- (6) Deputy Vice-Chancellors shall carry out such duties as may be determined by the Vice-Chancellor.
- (7) The Vice-Chancellor may appoint an Acting Deputy Vice-Chancellor to act until an appointment is made under Statute 8(3).

9. Vice-Presidents

- (1) A Vice-President shall hold office for a term of 5 years and upon such terms and conditions as the Council determines.
- (2) A Vice-President shall be appointed by the Council on the recommendation of a Joint Committee of the Council and the Senate to be established by the Council. The position shall be advertised internationally.
- (3) A Vice-President's contract may be renewed by the Council for further terms of up to 5 years.
- (4) A Vice-President may resign by writing addressed to the Vice Chancellor.
- (5) A Vice-President shall be responsible for such aspects of the administration of the University as the Vice-Chancellor may from time to time determine.
- (6) The Vice-Chancellor may appoint an Acting Vice-President to act until an appointment is made under Statute 9(2).

10. The Visitor

- (1) The Council shall appoint a University Visitor who shall have jurisdiction to determine any disputes between the University and any member of staff, or the University and any student provided always that all internal avenues for resolution of disputes have been exhausted.
- (2) The term of office and duties of the Visitor shall be determined by the Council and set out in an Ordinance.

11. The Auditor

- (1) The Council shall appoint a firm of auditors as the Auditor of the University for such period and on such conditions as the Council determines.
- (2) No firm shall be appointed as the Auditor if the firm, or any member of that firm engaged in the audit of the University, has a conflict of interest as defined in Statute 20(3):
- (3) If the office of the Auditor becomes vacant before the expiration of the term of office, the Council shall fill the vacancy as soon as practicable.
- (4) The Auditor may resign by writing addressed to the Council or may be removed by a resolution of the Council.
- (5) The Auditor shall be eligible for re-appointment.
- (6) The Auditor shall have the right of access at all reasonable times to such books, records, accounts and vouchers of the University and shall be entitled to require from the officers of the University such information and explanations as may be necessary for the performance of the auditor's duties.

PART 3 COUNCIL AND COUNCIL COMMITTEES

12. Council Membership

- (1) The Council has the following members:
 - (a) The Pro-Chancellor;
 - (b) The Vice-Chancellor;
 - (c) One member appointed by each of the governments of the following regional members each of which was a named country under the Charter (as the name may have been amended) or which has been subsequently admitted to the University as a Member country-
 - (i) Cook Islands
 - (ii) Republic of Kiribati
 - (iii) Republic of the Marshall Islands
 - (iv) Republic of Nauru
 - (v) Niue
 - (vi) Solomon Islands
 - (vii) Tokelau
 - (viii) Tuvalu
 - (ix) Kingdom of Tonga
 - (x) Republic of Vanuatu;
 - (d) Two members appointed by the Government of Samoa;
 - (e) Five members appointed by the Government of the Republic of Fiji;
 - (f) One member appointed by each of the Governments of Australia and New Zealand;
 - (g) The Secretary-General of the Pacific Islands Forum Secretariat or a nominee of the Secretary-General;
 - (h) Two professors of the University appointed by the University Senate in accordance with Statute 29(s);
 - (i) Two members of the University staff, one of whom is a member of the professional staff and the other is a member of the non-professional/non-academic staff, to be elected or appointed in accordance with the relevant Ordinance;
 - (j) Two registered students of the University to represent the student body, one to represent the students based at the Laucala campus, and one to represent students at other University campuses in the region, both students to be elected or appointed in accordance with the relevant Ordinance;

- (k) Up to seven persons co-opted by the Council, at least one of whom must be a graduate of the University and at least one of whom must be a person from the Solomon Islands, each appointment to be made in accordance with the criteria set out in Statute 14 and in accordance with the relevant Ordinance.
- (2) The following people attend the Council as non-voting participants:
 - (a) One or more Deputy Vice-Chancellors or Vice-Presidents as are requested by the Vice-Chancellor;
 - (b) The Executive Director of Finance;
 - (c) Other staff members at the request of the Vice-Chancellor;
 - (d) Any other persons at the request of the Pro-Chancellor.

13. Alternate Members

- (1) Each of the Member countries and both Australia and New Zealand shall appoint alternate members of the Council to attend Council meetings in the absence of the member appointed under Statute 12(1)(c), (d), (e) and (f);
- (2) Alternate members shall be appointed at the same time as members under Statute 12(1) and shall be renewed whenever a vacancy in the position of alternate member arises.

14. Criteria for Membership

- (1) In co-opting a member to the University Council, the Council should have regard to the desirability of the presence on the Council of:
 - (a) persons with expertise in management;
 - (b) professional, commercial and other significant interests in the community;
 - (c) graduates of the University;
 - (d) a reasonable geographical representation of the region;
 - (e) persons who provide a balance of age and gender;
 - (f) professional and regional bodies associated with programmes taught at the University;
 - (g) any institution or body which has affiliated or entered into association or is cooperating with the University; and
 - (h) experienced academics from outside the region who have a contribution to make to the deliberations of the Council.
- (2) In appointing members or alternate members, the member governments should have regard to the criteria set out in paragraph (1) and the desirability of appointing members who:
 - (a) have existing knowledge of the University or similar institutions;
 - (b) are able to attend Council meetings and business on a regular basis.

- (3) The body which appoints or elects members (including alternate members) to the Council shall advise the Secretary of Council of any new appointment or election as soon as practicable.

15. The Deputy Chair of the Council / Deputy Pro-Chancellor

- (1) The Council shall appoint from among its own members a Deputy Chair who is not a member of the academic staff or a student or a salaried officer of the University.
- (2) The Deputy Chair shall vacate office if he or she ceases to be a member of the Council.
- (3) The Deputy Chair presides over the Council in the absence of the Pro-Chancellor and may deputise for the Pro-Chancellor at other times at the request of the Pro-Chancellor or, if the Pro-Chancellor is not available.
- (4) The Deputy Chair shall hold office for a term of three years, and shall be eligible for reappointment for such further terms of up to three years as the Council decides.
- (5) The Deputy Chair may also be designated as the Deputy Pro-Chancellor.

16. Term of Office

- (1) Members appointed under Statute 12(1)(c),(d),(e) and (f) and alternate members appointed under Statute 13 shall hold office for as long as they are appointed by their respective Governments.
- (2) The Secretary-General of the Pacific Islands Forum Secretariat or nominee of the Secretary-General shall hold office for as long as the Secretary-General decides.
- (3) Members of staff appointed under Statute 12(1)(h) and (i) shall hold office for a term of three years unless they cease to be members of staff before the expiry of their term. Members of staff may be reappointed for further terms of up to three years.
- (4) Students of the University appointed under Statute 12(1)(j) shall hold office for a term of 1 year unless they cease to be students of the University before the expiry of their term.
- (5) Members of the Council co-opted under Statute 12(1)(k) shall hold office for such term, not exceeding three years, as the Council determines in each case at the time the co-option is made, provided that no co-opted member may serve for a continuous period exceeding 9 years.

17. Vacation of Office

- (1) A member of the Council may resign as a member by writing to the Pro-Chancellor.
- (2) The Council may, by resolution, dismiss a member of the Council as a member if the member:
 - (a) is declared bankrupt;

- (b) is convicted of an offence which the Council considers to render the member unfit for office;
 - (c) is absent without leave from two consecutive meetings of the Council; or
 - (d) fails to comply with the disclosure requirements of Statute 20.
- (3) The Council may not dismiss a member of the Council unless that member has been given a reasonable opportunity of being heard by the Council.
 - (4) The Pro-Chancellor, or the Deputy-Chair of the Council if acting as the Chair of the Council, shall send to a member of the Council dismissed under subsection (3) a letter setting out the terms of the resolution dismissing that member.

18. Casual Vacancies

- (1) Subject to paragraph (3), if the office of a member of the Council becomes vacant before the end of the member's term of office, the body which appointed or elected that member shall fill the vacancy as soon as practicable.
- (2) Unless the Council stipulates a shorter term, the new member shall hold office for the same term as if he or she had been appointed for the first time under Statute 12(1).
- (3) If a vacancy occurs within six (6) months before the end of the member's term of office, the Council may decide that the vacancy need not be filled under this Statute.

19. Proceedings of the Council not affected by vacancies, etc

Subject to the quorum requirements in Statute 22(3), no act or proceeding of the Council, any committee of the Council or any person acting as a member of the Council shall be invalidated in consequence of there being a vacancy or vacancies in the membership of the Council at the time of that act or proceeding, or if there was some defect in the appointment or qualification of any member of the Council, or a defect in the convening of any meeting of the Council.

20. Disclosure of Interest

- (1) A member of the Council, Senate or of a committee of the Council or Senate who has an interest in a matter being considered or about to be considered by the Council, Senate or the committee, as the case may be, shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest to the Pro-Chancellor or the chair of the body concerned.
- (2) A disclosure under subsection (1) shall be recorded in the minutes of the meeting of the Council, Senate or the committee of the Council and the member shall not, unless the Council, Senate or committee decides otherwise:
 - (a) be present at any deliberation of the Council, Senate or the committee with respect to that matter; or

- (b) take part in any decision of the Council, Senate or the committee with respect to that matter.
- (3) For the purposes of this Statute and Statute 11 (The Auditor), a person has an interest in a matter if the matter relates to that person, or if a close family member or a business associate of that person has a financial interest (including any employment relationship) in relation to the matter being discussed or would otherwise be directly affected by the outcome of a decision in that matter.

21. Powers, Duties and Functions of the Council

- (1) Subject to the Charter and these Statutes, the Council shall, in addition to all other powers vested in it, have the following powers, duties and functions:
 - (a) To appoint the following:
 - (i) Chancellor, Pro-Chancellor and the Deputy Chair of the Council;
 - (ii) On the recommendation of a Joint Committee of the Council and the Senate, the Vice-Chancellor, Deputy Vice-Chancellors and the Vice-Presidents;
 - (iii) The University Visitor;
 - (iv) The external Auditor.
 - (b) To set the direction for the University including approving its strategic plan and monitoring its implementation and operation.
 - (c) After considering the views of Senate:
 - (i) to oversee, monitor and review the academic activities of the University;
 - (ii) to institute and confer degrees, diplomas, certificates or other distinction or award conferred by the University and, on good cause, to revoke any of the above;
 - (iii) to determine the terms and conditions under which any institution or body may affiliate to the University;
 - (iv) to review the work of the University, and, to take such steps as it considers appropriate for promoting the objects of the University and maintaining its efficiency and quality;
 - (d) On the recommendation of a Joint Committee of the Senate and the Council, to grant any special academic distinctions, including honorary degrees;
 - (e) To approve procedures for the appointment of members of the staff of the University and to provide a supportive and safe environment for all employees of the University;
 - (f) To oversee the governance and management of the finances, accounts, investments, property, business and all affairs whatsoever of the University including without limitation all matters in relation to student fees and staff entitlements;

- (g) To foster close associations with alumni of the University, educational, commercial, professional, research and other appropriate organisations;
 - (h) To regularly assess the performance of the Council itself and the Pro-Chancellor, Vice-Chancellor, Deputy Chair and chairs of Council committees;
 - (i) To ensure that the University has in place appropriate risk management strategies and mechanisms for their implementation and reporting.
 - (j) To have the custody and use of the seal and to control the use of the arms and insignia of the University;
 - (k) To prescribe forms of official and academic dress;
 - (l) Generally to exercise all such powers, duties and functions as are or may be conferred on the Council by the Charter and these Statutes, including the power to make Ordinances in the exercise of the powers, duties and functions expressly set out in these Statutes and of all other powers, duties and functions vested in the Council.
- (2) Before determining any question which the Council considers bear directly on the academic responsibilities of the Senate, and which has not been previously considered by the Senate, the Council shall ask the Senate for recommendations or report thereon and shall take into account any such recommendation or report.

22. Meetings of the Council

- (1) The Council shall meet at least once each year.
- (2) A special meeting may be convened at any time on the written request of the Pro-Chancellor or at least ten members of the Council.
- (3) A quorum for all meetings of the Council shall be half of the current members, of whom not fewer than eight shall be members (or alternate members) appointed by the regional members.
- (4) Meetings of the Council shall be conducted in accordance with Statute 33 (Procedure).

23. Circulation of Council Resolutions

- (1) At the discretion of the Pro-Chancellor or of the Executive Committee, anything that may be done by a resolution passed at a meeting of the Council may be done by the Council without a meeting by means of a resolution signed in accordance with paragraph (2).
- (2) For the purposes of this statute, a resolution shall be passed by the Council if:
 - (a) A copy of the resolution has been served in accordance with Statute 34 on each member of the Council at that member's last known address; and
 - (b) In the case of an ordinary resolution, the resolution is signed as approved by at least half of the members then holding office.

- (c) In case of a special resolution, the resolution has been signed as approved by at least three quarters of the Council members and otherwise in accordance with Article 26 (1) of the Charter.

24. Executive Committee of the Council

- (1) The Council must establish an Executive Committee of the Council which shall undertake such duties as Council may from time to time delegate to the Committee.
- (2) The Executive Committee shall comprise:
 - (a) Pro-Chancellor;
 - (b) Vice-Chancellor;
 - (c) Deputy-Chair of the Council;
 - (d) Chairs of such other committees as the Council shall from time to time decide;
 - (e) Not fewer than five members of the Council appointed by the region as members, at least one of whom must be from Fiji.
 - (f) Such other members of the Council, not exceeding three, as the Council may appoint for terms of up to three years.
- (3) In appointing members of the Executive Committee under paragraph (2)(e) and (f), the Council shall have regard to the criteria set out in Statute 14 and shall endeavour to stagger the members' terms to ensure a balance of continuity and new membership.
- (4) The Executive Committee shall meet at least once every 3 months, and at such other times as the Committee, or the Pro-Chancellor in consultation with the Vice-Chancellor, determines.
- (5) If, in an emergency, decisions are required for the governance of the University outside the scope the delegations by the Council, the Executive Committee may act on behalf of the Council but must immediately report the matter to members of the Council.
- (6) A quorum for all meetings of the Executive Committee shall be half of the current members of the Executive Committee, which number shall include not fewer than three regional members of the Council.

25. Other Committees of Council

- (1) The Council may from time to time establish such other standing or special committees as it may think fit.
- (2) The Council may appoint persons who are not members of the Council as members of committees (other than the Executive Committee) provided that Council members comprise at least half the members of any committee.
- (3) Every committee shall report to each meeting of the Council and, if required by the Council, to the Executive Committee of the Council.

- (4) Unless otherwise specifically provided in these Statutes, the Pro-Chancellor and the Vice-Chancellor shall be ex-officio members of all committees of the Council. In the absence of the Pro-Chancellor or the Vice-Chancellor, the Deputy Chair or a Deputy Vice-Chancellor respectively shall deputise on such committees.

26. Power of Delegation

- (1) Subject to the Charter, the Council may by resolution from time to time, either generally or particularly, delegate to the Vice-Chancellor, Executive Committee or to any other committee of the Council any of its powers or functions under the Charter (other than the powers to appoint a Vice-Chancellor and to make statutes).
- (2) Any committee of the Council to which functions have been delegated under subsection (1) may, by writing signed by the Vice-Chancellor or by at least two members of the committee, delegate such of those functions as the Council may have approved to a member of the staff of the University.
- (3) The Vice-Chancellor may from time to time, either generally or particularly, by writing, delegate to any member of the staff of the University:
 - (a) Any functions of the Vice-Chancellor under the Charter or Statutes; and
 - (b) Such of the functions delegated by the Council to the Vice-Chancellor under this section as the Council may have approved.
- (4) Subject to any general or special directions given or conditions imposed by the Council or the Vice-Chancellor, as the case may be, a committee of the Council or a member of the staff of the University to which or to whom any functions are delegated under this section may perform those functions in the same manner and with the same effect as if they had been conferred on the committee or member of the staff directly by this Statute and not by delegation.
- (5) A delegation under this Statute does not affect or prevent the performance of any function by the Council or the Vice-Chancellor, as the case may be, or, affect the responsibility of the Council or the Vice-Chancellor for the actions of any person under the delegation.
- (6) A delegation under this Statute is revocable by writing at will and, until it is revoked, continues in force according to its tenor.

PART 4 THE SENATE

27. Composition of Senate

- (1) The Senate shall consist of the following persons, namely:
 - (a) Ex-officio members being:
 - (i) The Vice-Chancellor (who shall be Chair of the Senate);
 - (ii) The Deputy Vice-Chancellor and the Vice-President(s);

- (iii) The Heads of Academic Units;
 - (iv) The University Librarian;
 - (b) Elected members being:
 - (i) 1 Professor per School elected by academic staff of the school;
 - (ii) Five non-professorial academic staff to be elected by all academic staff, at least three of whom shall be women;
 - (iii) Three Directors of Campus outside Fiji, at least one of whom shall be a woman, to be elected by all Directors of Campus;
 - (iv) Four student members, at least two of whom shall be women, to be appointed or elected in accordance with Ordinances of the University.
 - (c) A member appointed from any academic institution which is affiliated or otherwise associated with the University, on such terms as the Council may from time to time determine.
- (2) Ex-officio members of the Senate shall hold office for as long as they continue to occupy the positions by virtue of which they became members.
 - (3) Members of the Senate elected under paragraph (1)(b)(i) to (iv) shall hold office for a term of three years, and may be re-elected for further terms of three years.
 - (4) Student members of Senate shall hold office for one year.
 - (5) A member of the Senate appointed under paragraph (1)(c) of this Statute shall remain in office unless the Council determines that the appointment of any such representative shall cease.

28. Role of Senate

The Senate shall be the academic authority of the University and shall, subject to the powers, duties and functions referred to the Council by the Charter and these Statutes, take such measures and act in such manner as shall appear to it best calculated to promote academic excellence in the teaching, research, community service and other academic work of the University.

29. Powers of Senate

The Senate shall, subject to the Charter and these Statutes, in addition to all other powers vested in it, have the following powers, duties and functions:

- (a) To advise the Council and report on matters pertaining to the quality of learning and teaching, research and scholarship and to recommend to the Council:
 - (i) the establishment or discontinuation of degrees, diplomas, certificates and other distinctions and awards;
 - (ii) the terms and conditions under which any institution or body may partner in the provision of academic programs or credit transfer arrangements;
 - (iii) the appropriate provision of academic support for the progression and graduation of students; and
 - (iv) any matters referred to it by the Vice-Chancellor or by the Council.
- (b) To approve changes to existing academic programs, and to review all existing academic programs on a regular basis.
- (c) To approve, amend and revoke Academic Regulations and policies; and monitor compliance against these provisions.
- (d) To determine Regulations and policy regarding the admission, selection and enrolment of students.
- (e) To determine requirements to be satisfied by candidates for the award by the University of a degree, diploma or certificate.
- (f) To determine the terms and conditions of awards, scholarships, prizes and other forms of recognition governing academic matters.
- (g) To determine what formalities shall attach to the conferment of degrees, diplomas, certificates and other distinctions and awards and regulate the use of the University's academic dress.
- (h) To oversee academic support, to promote and enhance the quality of the student learning experience, and to regulate student discipline.
- (i) To approve, amend or revoke research Regulations and policies; and to monitor compliance against these provisions.
- (j) To exercise generally such other powers prescribed in the University Charters, Statutes, Ordinances and Regulations or given to it by the Council and appoint members of the Senate to be members of the Council under Statute 12(1)(h).

30. Meetings of Senate and Senate Committees

- (1) A quorum for all meetings of the Senate shall be half the members of Senate and meetings shall be conducted in accordance with Statute 33 (Procedure).
- (2) The Senate may from time to time establish standing or special committees which may include persons who are not members of the Senate.
- (3) Unless otherwise specifically provided in any Statutes or Ordinances, the Vice- Chancellor

shall be ex-officio member of all committees of the Senate. In the absence of the Vice-Chancellor, a Deputy Vice-Chancellor may deputise for the Vice-Chancellor on such committees.

- (4) The Senate may delegate any of its powers, duties and functions, including any powers, duties and functions which it has by delegation from the Council or any other body of person to any committee established under paragraph (3) of this Statute or to any person; and the committee or person may, without confirmation by the Senate, exercise those powers or perform those duties or functions in like manner and with the same effect as the Senate could itself have exercised or performed them: provided that the Council may prohibit, or impose conditions in respect of, the delegation by the Senate of any power, duty or function that is delegated to the Senate by the Council.
- (5) Every such delegation shall be revocable at will and no such delegation shall prevent the exercise of any power or the performance of any duty or function by the Senate.
- (6) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.

PART 5 DISCIPLINE ETC OF STAFF AND STUDENTS

31. Discipline of Staff

The Vice-Chancellor, Deputy Vice-Chancellor, the Vice-Presidents, the members of staff, and the holders of any other posts for this purpose by the Council from time to time, may be disciplined or removed from office in accordance with Ordinances made by the Council.

32. Admission and Discipline of Students

- (1) Subject to these Statutes and any Ordinances and Regulations of the University, the Vice-Chancellor may:
 - (a) exclude or authorise the exclusion of any person from any part of the University or premises in use by it;
 - (b) refuse to admit any person as a student of the University.
- (2) The Vice-Chancellor shall report any such exclusion to the Senate at its next meeting.

PART 6 MISCELLANEOUS

33. Procedure

The following provisions shall, except where other provision is expressly made in the Charter or these Statutes, apply to the Council, the Executive Committee, the Senate and any committee of either the Council or the Senate:

- (a) Any appointed or elected member who is required by these Statutes to possess any qualification shall be deemed to have vacated his or her office if he or she ceases to possess that qualification;
- (b) Any appointed, elected or co-opted member and the Chair (other than ex-officio Chair) may resign his or her office;
- (c) Any appointed, elected or co-opted member and the Chair (other than ex-officio Chair) shall be eligible for re-appointment or re-election;
- (d) Every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the person presiding at the meeting shall have a casting vote, whether or not he or she has voted on the motion;
- (e) Subject to these Statutes, the bodies described in this Statute may determine the time and place of its meetings and the procedure to be followed at the meetings, and may make Standing Orders for the purpose of regulating its procedure.

34. Service of Notices and Documents

- (1) Any notice or document required by or for the purpose of these Statutes to be given or sent to a member of the Council, Senate, the staff, students or graduates of the University may be given or sent either personally or by sending it by post or courier to the person's address as entered in the records of the University.
- (2) Notice may be effected by email or other electronic means only where receipt of that notice has been given by or on behalf of the intended recipient.
- (3) Where a notice or document is sent by post, service thereof shall be deemed to have been properly effected by addressing and posting a letter containing the notice or document, and shall be deemed to have been effected at the time at which the letter would in the ordinary course be delivered.

35. Transitional Provisions

- (1) Officers of the University appointed prior to the adoption of these Statutes shall continue to hold office on the terms and conditions on which they were appointed.
- (2) Members of the Council and Senate (other than the officers) at the time of the adoption of these Statutes shall continue to hold office on the date of adoption and, if eligible for reelection or reappointment to the position to which they were elected or appointed exists under the new Statutes, may be elected or appointed to that position.

*[Approved by Council at its meeting of C82 held on 17 & 18 May 2016]
[Last Amendment approved by Council at its meeting of C94 held on 10 & 11 November 2022]*