Delegation Schedule HH - Corporate, Governance and Legal Delegations

This Schedule HH is to be read in conjunction with the Delegations of Authority Policy.

	Function	Holders and Limits	Document Reference and Guidance
Corporate and Compliance			
HH1	Act as University public officer for purposes of s.324CL of *Corporations Act*, including accept service of notices and other process	Chief Operating Officer	
HH2	Act as proper officer for the purposes of the *Income Tax Assessment Act* and other tax-related legislation, including accept service of notices and other process	Chief Financial Officer	
HH3	Authority to determine a disclosure, made by a person who is not public official, be deemed as a voluntary public interest disclosure	Vice-Chancellor and President General Counsel and University Secretary	Whistleblowing (Reporting Corruption and Other Serious Wrongdoing) Procedures **Administrative Notes** Refer s29 of the Public Interest Disclosure Act 2022 (NSW); and clause 24 of the Procedures
Appointments to Companies and Other Entities			
HH4	Approve appointment or removal of directors on boards of University controlled and associated entities	Vice-Chancellor and President - or if the Vice-Chancellor is conflicted or unable to act, Provost	Controlled and Associated Entities Governance Framework **Administrative Notes** Any change of directors approved by the Vice-Chancellor and President (or the Provost) must be regularly reported to the Board of Trustees, via the Remuneration and Nominations Committee.
HH5	Approve appointment of University representatives (including directors) on entities other than those specified in HH3	Vice-Chancellor and President - entities that are not controlled or associated entities Provost - research-related entities such as cooperative research centres Pro Vice-Chancellor, Research and Innovation - research-related entities such as cooperative research centres	Commercial Activities Guidelines **Administrative Notes** Schedule CC5 (research-related entities).
Organisational Structure, Affiliations and Student Bodies			

HH6	Approve establishment, restructures (including mergers) or disestablishment of schools, research institutes and divisions	Board of Trustees - not delegated	Research Institute Policy
HH7	Approve internal changes to structures and naming of existing schools, research institutes and divisions	Vice-Chancellor and President	
HH8	Approve affiliation, accreditation or endorsement of research and educational organisations with the University	Board of Trustees - not delegated	Legislation - University Act and University By-Law **Administrative Notes** Act - s.40(1)(u)
HH9	Approve policies and procedures for student representation	Vice-Chancellor and President Deputy Vice-Chancellor, Education and Students - procedures only	Student Representation and Participation Policy
Governance and Policy			
HH10	Approve new and major changes to University Rules and other Policy Documents related to the strategy of the University	Board of Trustees	Legislation - University Act and University By-Law Policy Framework **Administrative Notes** Act - s.40,41 By-law - Pt.4 Policies to be approved by the Board must, where relevant, first be endorsed by the relevant Committee of the Board of Trustees.
HH11	Approve new and major changes to Policy Documents related to the management and operations of the University	Vice-Chancellor and President	Legislation - University Act and University By-Law Policy Framework **Administrative Notes** Act – s.41 By-law – Pt.4

HH12	Approve new and major changes to policy documents related to academic activities of the University	Academic Senate	Academic Senate Charter Legislation - University Act and University By-Law **Administrative Notes** Act - s.41 All policy documents to be approved by Academic Senate must first be endorsed by Academic Senate Policy Committee.
HH13	Approve minor changes and limited changes at scheduled review for all Policy Documents	Category 8 - relevant Division Head responsible for the document	Policy Framework **Administrative Notes** Policy documents must be endorsed by the relevant Unit Head as listed in the Policy DDS.
HH14	Approve new and changes to Guidelines	Category 7 - relevant Unit Head listed in the Policy DDS Category 6 - relevant Unit Head listed in the Policy DDS	Policy Framework
HH15	Temporarily suspend or vary Policy Documents approved by Academic Senate relating to academic matters of the University in an emergency or urgent circumstances	Chair, Academic Senate	Academic Senate Charter Delegations of Authority Policy
HH16	Approve administrative changes to policy documents to reflect: • reassignment of functions following approved changes to management or organisational structures • amendments to clarify or correct an issue which do not change the context or intent of the policy • changes to associated document names or additional documents where they do not alter the intention of the Policy Document	General Counsel and University Secretary	Policy Framework
HH17	Approve retirement of redundant or superseded Policy Documents	General Counsel and University Secretary	Policy Framework
Legal			

HH18	Accept service of court documents, including subpoenas and notices to produce documents	General Counsel and University Secretary Lawyer, Office of General Counsel Executive Officer, Office of General Counsel - third party subpoenas only	Litigation, Claims and Disputes Policy **Administrative Notes** Subpoenas and other notices addressed to individuals to give evidence must be served personally on the individual.
HH19	Accept service of statutory notices from government agencies to produce documents or provide information other than notices referred to in HH1 and HH2	General Counsel and University Secretary Lawyer, Office of General Counsel Chief People Officer - notices related to University employees or work-related matters (including work, health and safety)	
HH20	Commence or defend legal proceedings involving the University, including give instructions about matters related to conduct of legal proceedings	Vice-Chancellor and President Chief Operating Officer General Counsel and University Secretary - defend only	Legal Services Policy Litigation, Claims and Disputes Policy
HH21	Approve terms of settlement of a dispute, whether or not arising from legal proceedings, on behalf of the University	Vice-Chancellor and President Chief Operating Officer - limited to where the total value of settlement sum is less than $50,000 Executive Dean - as related to Faculty - limited to where the total value of the settlement sum is less than $50,000 Dean - as related to School - limited to where the total value of the settlement sum is less than $50,000	Litigation, Claims and Disputes Policy **Administrative Notes** This delegation must only be exercised after obtaining advice from the Office of General Counsel.
HH22	Execute deeds, deed polls or other instruments to give effect to settlement of a dispute, whether or not arising from legal proceedings, on behalf of the University, first approved under HH20	Vice-Chancellor and President Chief Operating Officer General Counsel and University Secretary	Litigation, Claims and Disputes Policy Western Sydney University (University Seal and Authentication) Rule **Administrative Notes** Exercise of this delegation should be exercised only after obtaining advice from the Office of General Counsel.
HH23	Instruct external lawyers or patent or trade mark attorneys to provide legal or other professional services to the University	Vice-Chancellor and President General Counsel and University Secretary Senior Lawyer, Office of General Counsel Category 8 - Divisional matters only Chief People Officer - HR matters only Executive Dean - Faculty matters only	Legal Services Policy **Administrative Notes** This delegation should be exercised in consultation with the Office of General Counsel.

HH24	Execute non-disclosure or confidentiality agreements with third parties to protect confidential information of either or both parties	Provost - research related only Chief Operating Officer General Counsel and University Secretary Pro Vice-Chancellor, Research and Innovation - research related only Chief Property and Commercial Officer - commercial and infrastructure transactions Executive Director, Infrastructure and Commercial Performance - commercial and Infrastructure transactions Executive Director, Research Services - research related only Executive Dean - Faculty related only Dean - School related only Director, Research Institute - Research Institute related only	**Administrative Notes** These agreements must be in a form first approved by the Office of General Counsel.
HH25	Negotiate, execute and sign any deed, agreement, settlement, undertaking or other legal instrument not otherwise covered under the Delegations of Authority Policy or another Delegation Schedule as long as that instrument is consistent with the University Act and By-Law, policies, statutory obligations and risk appetite.	Vice-Chancellor and President Provost Category 8 - Relevant Divisional matters only Category 7 - Relevant Portfolio matters only	**Administrative Notes** These agreements must be in a form first approved by the Office of General Counsel with relevant legal advice sought. Please refer to the Commercial Activities Guidelines (Policy and Procedures).
Use of University Seal			
HH26	Authorise affixing of University Seal to documents other than testamurs and other awards in urgent circumstances between Board of Trustees meetings	Chancellor Deputy Chancellor Vice-Chancellor and President Provost	Western Sydney University (University Seal and Authentication) Rule
HH27	Authorise affixing of University Seal to testamurs, award or other instrument authorised by the Board of Trustees to be issued to a person: 1. Who has satisfied the University's requirements for award of a degree, diploma, certificate or other award for academic achievement; or 2. As an honorary title or award conferred by the Board of Trustees.	Vice-Chancellor and President	Student Administration Policy - Recognition of Academic Excellence Procedure Western Sydney University (University Seal and Authentication) Rule
Revocation of Degree or Other Award			

HH28	Approve revocation of degree or other award conferred by the University	Board of Trustees - not delegated	Revocation of Awards Rule Student Misconduct Policy
Miscellaneous			
HH29	Approve the registration of a Business Name under the University's ABN	Category 8 - for business names not requiring Ministerial approval	**Administrative Notes** Applications for business names requiring Ministerial approval must be made via the General Counsel and University Secretary. Applications for business names that do not require Ministerial approval must be made via the Company Secretary, Entities and Associate Director, Secretariat.
HH30	Approve access to federal and state government online systems on behalf of the University	Category 6	**Administrative Notes** This delegation must only be exercised after first seeking advice from the Company Secretary, Entities and Associate Director, Secretariat. Examples of online government systems include the Provider Digital Access (PRODA), Australian Business Register (ABR), Centrelink, Australian Tax Office (ATO), Early Childhood Contract Management System (ECCMS), Health Professional On-line Service and Workplace Gender Equality Agency (WGEA) Portal.