

# Schedule 10: Administrative, legal and general delegations

## **General conditions for exercising administrative, legal and general delegations**

1. Except where a delegation in this schedule states otherwise, it is limited by a delegate's financial expenditure delegation(s) in [Schedule 5: Financial delegations](#).
2. Delegates must also comply with requirements for exercising all delegations stated in the Delegations Procedure above.

No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
<b><i>Using the seal, name and arms of the University</i></b>				
10.1	Affix the seal of the University to a document to be issued to any person as evidence that they have been admitted to a degree or awarded a diploma or certificate.	Any two of: Chancellor VC Provost DVC VP Registrar Director of Governance Senior Manager, Governance	Following Council's approval of the form of the document.	<a href="#">University of New South Wales Act 1989 (NSW)</a>
10.2	Affix the seal of the University to a by-law or other document that must be under the seal.	Any two of: Provost DVC VP Director of Governance Senior Manager, Governance.	Following Council's approval of the by-law or use of the seal with the document.	<a href="#">University of New South Wales Act 1989 (NSW)</a>
10.3	Approve use of the arms or name of the University, or inclusion of these in a trademark, by <ul style="list-style-type: none"><li>• a person or body other than the University, or</li><li>• an officer or committee of the University, in connection with a commercial activity of the University.</li></ul>	Provost DVC VP Societal Impact, Equity and Engagement Executive Director, Strategic Communications Executive Director, Marketing & Digital Experience		

\* This is a delegation from Council which cannot be sub-delegated.

No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.4	Approve registration or renewal of a trade mark other than a trade mark that includes the University's arms or name.	DVC VP Head or director of a centre or institute Dean of faculty	Before approval, the proposed trade mark must have been approved by UNSW Brand.  Where a trade mark includes or will include the University's name or brand, its registration or renewal must be approved by a delegate who holds delegation <a href="#">10.3</a> .	
<b>Naming</b>				
10.5	Recognise a philanthropic donation or an individual's distinguished service to the University, by deciding the name of tangible or intangible property (other than a whole building), a part of a building, an outdoor area, an academic unit (other than a faculty), or an academic position or professorial chair.  <i>This delegation does not apply to the establishment of scholarships, which is addressed in delegation 5.9.</i>	VC	Naming a faculty or whole building is a function that Council reserves to itself.	<a href="#">Naming Recognition Policy</a>
<b>Legal affairs</b>				
10.6	Accept service of a court process on behalf of the University.	Chief Legal Officer Solicitors in the Legal and Compliance team whose position titles include the phrase "deputy" or "head of"	Any litigation commenced against the University will be reported in the Chief Legal Officer's Litigation and Major Disputes Report to the Audit Committee of Council	

No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.7	Accept service of a subpoena or other similar notice to attend a court, tribunal or commission to produce a document.	Chief Legal Officer Solicitors in the Legal and Compliance team whose position titles include the phrase "deputy", "head of" or "senior legal counsel".  Where the subpoena relates to a Unisearch project: Manager UniSearch, Expert Opinion and Consulting Client Relations Manager, UniSearch, Expert Opinion and Consulting Project Administrator, UniSearch, Expert Opinion and Consulting		
10.8	Appoint external lawyers to act for UNSW and decide the terms of their engagement.	Chief Legal Officer Solicitors in the Legal and Compliance team whose position titles include the phrase "deputy" or "head of".  VC in the event of a conflict involving the Chief Legal Officer		<a href="#">Finance Policy</a>
10.9	Waive the University's right to maintain legal professional privilege.	VC Chief Legal Officer		
10.10	Represent the University in: a. a proceeding in a court, tribunal or commission.  b. a conciliation conference in the Fair Work Commission in disputes in relation to: unfair dismissal; flexible work arrangements; stop bullying applications; and stop sexual harassment applications.	a. Chief Legal Officer Any solicitor in the Legal and Compliance team An external legal practitioner engaged by a delegate listed in delegation 10.8  b. in addition to a, any member of the Employee Relations team		
10.11	Commence a legal proceeding on behalf of the University.	VC Provost Chief Legal Officer	VC and Provost to act only after receiving advice of Chief Legal Officer.	

No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.12	Settle a legal proceeding on behalf of the University.	VC Provost DVC VP Chief Legal Officer	VC, Provost, DVC and VP to act only after receiving advice of Chief Legal Officer.	
10.13	Sign a deed of release or deed of settlement, other than in relation to employees	Chancellor* VC DVC VP Chief Legal Officer	The delegate must ensure the requirements of clause 1.18 of the Delegations Procedure are satisfied before exercising this delegation.	<a href="#">This is an authorisation made by the VC in accordance with s50(3) of the <i>Interpretation Act 1987 (NSW)</i>.</a>
10.14	Sign a power of attorney.	VC Provost DVC VP	Only where the power of attorney is, on the advice of a legal practitioner in the Legal and Compliance team, necessary or desirable to exercise a function that has been delegated to the relevant delegate	<a href="#">This is an authorisation made by the VC in accordance with s50(3) of the <i>Interpretation Act 1987 (NSW)</i>.</a>
10.14A	Sign a protection deed provided by UNSW to a member of the UNSW Council or a Council committee.	Director of Governance	Where the protection deed is in a form that has been approved by the Chief Legal Officer or the Deputy Chief Legal Officer.	
10.15	Provide a statement of compliance (other than the University's annual financial statements) that the University or Council is required to make by legislation or an authority under legislation.	VC Provost DVC VP PVC	The Provost, a DVC, a VP or a PVC may make such a statement where the VC has authorised them to do so either by approving a policy or procedure that states the authorisation, or otherwise in writing.	

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No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
<b>Corporate structures and office-holders</b>				
10.16	Promote, establish or participate in (by means of debt, equity contribution of assets or other means) a company or other incorporated body, or a joint venture and approve any amendment to its constituent documents.	VC Provost DVC VP PVC Research	<p>The Provost or a DVC or VP may exercise this delegation where the VC has authorised them to do so.</p> <p>This delegation does not include authority to establish or decide to acquire or dispose of a controlling interest in a company or other incorporated body, or a joint venture. This function is reserved to Council.</p> <p>The PVC Research may only exercise this delegation for the purpose of participating in a company that is established to carry out a research program (for example, a company formed under the Commonwealth's governments Co-operative Research Centre program).</p>	<a href="#">Controlled Entities</a> <a href="#">Procedure</a>

No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.17	<p>Appoint someone (including an alternate) to represent the University on the governing body of a company, venture or other organisation; also appoint a proxy and authorise them to act for the University where there is no current appointee or the terms of the appointment or the constitution of the organisation do not permit a current appointee to nominate their own proxy:</p> <ul style="list-style-type: none"> <li>a. where the appointee is the Chancellor</li> <li>b. where the appointee is the VC</li> <li>c. where the appointment is to: <ul style="list-style-type: none"> <li>- an affiliated research institute</li> <li>- Scientia Clinical Research Ltd</li> <li>- UNSW Press Ltd</li> </ul> </li> <li>d. in all other cases, except where the entity's constitution requires the appointment to be made by the Council.</li> </ul> <p><i>Note – the constitutions of the following entities requires the Council to appoint the directors:</i></p> <ul style="list-style-type: none"> <li>- UNSW Global Pty Ltd</li> <li>- NewSouth Innovations Pty Ltd</li> <li>- The University of New South Wales Foundation Ltd</li> </ul>	<ul style="list-style-type: none"> <li>a. Remuneration and People Committee*</li> <li>b. Chancellor*</li> <li>c. VC</li> <li>d. Provost</li> <li>DVC</li> <li>VP</li> <li>PVC Research</li> </ul>	<p>The delegate may also appoint and authorise a person to act as proxy, where the terms of the appointment or the constitution of the organisation permit this.</p> <p>The PVC Research may only exercise this delegation in relation to a company that is established to carry out a research program (for example, a company formed under the Commonwealth's governments Co-operative Research Centre program).</p>	
10.18	<p>Approve a request to be appointed to the governing body of an external entity where the appointee will not represent the University in that appointment, where the appointee is:</p> <ul style="list-style-type: none"> <li>a. the VC</li> <li>b. a member of the University Leadership Team other than the VC</li> <li>c. any other staff member.</li> </ul>	<ul style="list-style-type: none"> <li>a. Chancellor*</li> <li>b. VC</li> <li>c. Provost</li> <li>DVC</li> <li>VP</li> </ul>		

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No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.19	Appoint a corporate representative to exercise all or any of the powers of the University regarding the company, body or venture that is attached to equity or member participation, where the representative is: a. the VC b. the Provost, a DVC or VP c. any other staff member, where the entity is a controlled entity or an associated entity d. any other staff member, where the entity is not a controlled entity or an associated entity	a. Chancellor* b. VC c. VC d. Provost DVC VP PVC Research	<p>The appointment may:</p> <ul style="list-style-type: none"> <li>be for a specific meeting or stand until revoked, and</li> <li>state restrictions on the representative's powers, and</li> <li>include appointment of an alternate.</li> </ul> <p>In representing the University in relation to the company, the representative cannot exercise a power that is the subject of a different delegation, unless their position is listed as a delegate under the other delegation.</p> <p>The PVC Research may only exercise this delegation in relation to a company that is established to carry out a research program (for example, a company formed under the Commonwealth's governments Co-operative Research Centre program).</p>	
<b><i>Signing contracts and MOUs that do not involve a financial commitment</i></b>				
10.20	Sign a non-disclosure agreement / confidentiality undertaking in relation to the non-research activities of the University	DVC VP PVC Any officer with the words "dean", "director" or "head" in their position title.	<p>For delegations to enter a non-disclosure agreement or confidentiality undertaking related to the University's research activities, see Schedule 3: Research delegations.</p> <p>The delegate must ensure the requirements of clause 1.18 of the Delegations Procedure are satisfied prior to the exercise of this delegation.</p>	<p><a href="#">This is an authorisation made by the VC in accordance with s50(3) of the <i>Interpretation Act 1987 (NSW)</i>.</a></p>

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No.	Delegation	Delegate(s)	Conditions of exercise	Relevant legislation, policy documents
10.21	Sign a memorandum of understanding on a matter other than those specified in delegations 1.39 and 3.9.	VC DVC VP PVC Any officer with the word "dean" in their position title Head of school Head of centre (or equivalent).	The delegate must ensure the requirements of clause 1.18 of the Delegations Procedure are satisfied prior to the exercise of this delegation.	This is an authorisation made by the VC in accordance with s50(3) of the <i>Interpretation Act 1987 (NSW)</i> .
10.22	Approve the licence or assignment of University-owned copyright in relation to a non-research activity of the University.	DVC VP University Librarian Any officer with the word "dean" in their position title Head of school Head of centre (or equivalent) Executive Director, Marketing & Digital Experience	Officers with the word 'dean' in their position title', heads of centre and heads of school will only exercise this delegation where processes maintained by the University Librarian do not require the approval to be escalated to a DVC, VP or the University Librarian	
10.23	Sign an agreement relating to marketing the University.	VP Societal Impact, Equity and Engagement Executive Director, Marketing & Digital Experience	Where the agreement commits the University to expenditure, the decision to enter the agreement must have been approved by an officer who holds the financial delegation for that amount of expenditure under delegation <a href="#">5.17</a> .  The delegate must ensure the requirements of clause 1.18 of the Delegations Procedure are satisfied prior to the exercise of this delegation.	This is an authorisation made by the VC in accordance with s50(3) of the <i>Interpretation Act 1987 (NSW)</i> .

<b>Information and privacy</b>				
10.24	Make a reviewable decision in relation to an access application to the University under the <i>Government Information (Public Access) Act 2009</i> (NSW).	Head of Compliance and Privacy Law Head of People and Conduct Law Legal Counsel, People and Conduct Lawyer, Privacy and GIPA	The delegates will exercise the delegation in accordance with processes for its exercise maintained by the Chief Legal Officer.	This is a delegation made by the VC in accordance with s 9(3) of the <i>Government Information (Public Access) Act 2009</i> (NSW).
10.25	Make a reviewable decision in relation to an application to the University for an internal review under s 53 of the <i>Privacy and Personal Information Protection Act 1998</i> (NSW)	Head of Compliance and Privacy Law Head of People and Conduct Law Legal Counsel, People and Conduct Lawyer, Privacy and GIPA	The delegates will exercise the delegation in accordance with processes for its exercise maintained by the Chief Legal Officer.	
10.26	Exercise the functions of the VC for the purpose of Part 6A of the <i>Privacy and Personal Information Protection Act 1998</i> (NSW) (the Mandatory Data Breach Notification Scheme)	Chief Legal Officer		This is a delegation by the VC in accordance with s 59ZJ of the <i>Privacy and Personal Information Protection Act 1998</i> (NSW). The VC made this delegation by approving the <a href="#">Data Breach Policy and Procedure</a> .
<b>Complaints and investigations</b>				
10.27	Take actions necessary including to suspend or restrict access to University staff, services, and or facilities including its campuses and premises for any complainant, respondent or any other person involved in a complaint or investigation process that is not a public interest disclosure to: <ol style="list-style-type: none"> <li>manage unreasonable behaviour</li> <li>ensure, as far as reasonably practicable, the safety and protection of people, animals, environment, physical and financial resources.</li> </ol>	Provost DVC VP PVC Dean Chief Legal Officer CPO Director, Conduct & Integrity Director, Safety Director, Security & Traffic Registrar A solicitor within the Office of Legal and Compliance whose title includes "head of" or "deputy"	<p>Authorisation to suspend or restrict as a corrective action can only occur with two approvers (regardless of the seniority of the person or the role that they perform).</p> <p>The specific approvers are detailed in the Complaints Management and Investigations Policy and Procedure.</p> <p>Where a person who is the subject of a proposed action is in a direct reporting line of an approver, an alternative approval must be obtained from one of the other approvers.</p>	<a href="#">Complaints Management and Investigations Policy and Procedure</a>

10.28	<p>Make a determination of breaches of the Code of Conduct &amp; Values, apply penalties/disciplinary outcomes for breaches, set conditions a person must meet where it is found that they have breached the Code, other than:</p> <ul style="list-style-type: none"> <li>a. revoking the award of a degree – delegation 1.21 authorises delegates to make that decision</li> <li>b. disciplinary action under the enterprise agreements</li> <li>c. suspending or excluding a student for serious breach or misconduct – delegation 1.28 authorises delegates to make that decision.</li> </ul>	<p>DVC Provost CPO Director, Conduct and Integrity Deputy Director, Conduct and Integrity Manager, Student Conduct and Integrity Senior Case Manager in Conduct and Integrity Case Manager in Conduct and Integrity Director, Research Ethics &amp; Complaints Director Employee Relations Head of Employee Relations Director, HR Business Partner HR Business Partner Employee Relations Business Partner</p>	<p>The delegates will exercise this delegation in accordance with processes maintained by the Director Conduct and Integrity for the escalation of decisions to apply certain breaches.</p>	
10.29	<p>Review and decide the outcome of a request for internal review of the outcome of a complaint or breach of the Code of Conduct &amp; Values that is not a public interest disclosure.</p>	<p>Provost DVC VP Operations &amp; Chief Operating Officer CPO</p>	<p>The delegate exercises this delegation in their capacity as an External Review Officer under the Complaints Management and Investigations Policy and Procedure and in accordance with processes for escalation of decisions maintained by the Director Conduct and Integrity.</p>	<p><a href="#">Complaints Management and Investigations Policy and Procedure</a></p>

<b>Public Interest Disclosures</b>				
10.30	Receive reports of serious wrongdoing and refer them for management and investigation.	<p>Supervisor</p> <p>Disclosure Officers:</p> <p>VC Provost DVC VP Dean Dean Life Long Learning PVC Indigenous Chief Legal Officer Chief of Staff (Office of the VC) CFO CIO CPO a person who is a member of the Council or one of its committees</p> <p>Director, Conduct and Integrity (exercising the function of Disclosures Coordinator)</p> <p>Manager, Disclosures and Complex Investigations (exercising the function of Disclosures Manager)</p>	<p>Where a report of serious wrongdoing is about the:</p> <ol style="list-style-type: none"> <li>VC</li> <li>CALO</li> <li>Internal Review Officer</li> <li>Disclosures Coordinator</li> <li>Disclosures Manager</li> <li>Senior Case Manager, Conduct &amp; Integrity</li> </ol> <p>the Chair of the Audit Committee will assume the role of the Disclosure Coordinator, or they will appoint an appropriate independent person to assume the role of Disclosure Coordinator.</p> <p>Where the Director, Conduct and Integrity is conflicted in dealing with a report of serious wrongdoing, the order of who will assume the role of Disclosure Coordinator will be as follows:</p> <ol style="list-style-type: none"> <li>CALO</li> <li>Vice-Chancellor</li> <li>Chair, Audit Committee</li> <li>Chancellor.</li> </ol>	<a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a>
10.31	Determine whether a report of serious wrongdoing constitutes a public interest disclosure.	Director, Conduct and Integrity (exercising the function of Disclosures Coordinator)		
10.32	Determine that a disclosure is a voluntary public interest disclosure even if the disclosure would not otherwise be a voluntary public interest disclosure.	Director, Conduct and Integrity (exercising the function of Disclosures Coordinator)	<p>This delegation must be exercised in accordance with s29 of the <i>Public Interests Disclosures Act 2022 (NSW)</i>.</p>	<p>This is an authorisation by the Vice-Chancellor in accordance with s 80 of the <i>Public Interests Disclosures Act 2022 (NSW)</i>.</p> <a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a>

10.33	Manage and investigate public interest disclosures.	<p>Manager, Disclosures and Complex Investigations (exercising the function of Disclosures Manager)</p> <p>Senior Case Manager, Conduct &amp; Integrity</p>	<p>The Manager, Disclosures &amp; Complex Investigations will assume the role of Disclosures Manager.</p> <p>Where a report of serious wrongdoing is about the:</p> <ol style="list-style-type: none"> <li>Vice-Chancellor</li> <li>CALO</li> <li>Internal Review Officer</li> <li>Disclosures Coordinator</li> <li>Disclosures Manager</li> <li>Senior Case Manager, Conduct &amp; Integrity</li> </ol> <p>the Chair of the Audit Committee will appoint a Disclosures Manager.</p> <p>Where the Manager, Disclosures &amp; Complex Investigations is conflicted in dealing with a report of serious wrongdoing, the Director, Conduct and Integrity will appoint an appropriate person to assume the role of Disclosure Manager.</p>	<p><a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a></p> <p><a href="#">Public Interests Disclosures Act 2022 (NSW)</a></p>
10.34	Approve seizure of or access any University asset, record or system in a public interest disclosure investigation.	<p>Two of the following delegates, acting together:</p> <p>Director, Conduct and Integrity (exercising the function of Disclosures Coordinator)</p> <p>Chief Legal Officer</p>	Authorisation to seize or access any University asset, record or system can only occur with two approvers (regardless of the seniority of the person or the role that they perform).	<p><a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a></p>
10.35	Seize or access any University asset, record or system in a public interest disclosure investigation.	<p>Manager, Disclosures and Complex Investigations (exercising the function of Disclosures Manager)</p> <p>Senior Case Manager</p>	The exercise of this delegation is subject to prior approval under delegation 10.34.	<p><a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a></p>
10.36	Issue a lawful direction to any employee for the purpose of managing and investigating public interest disclosures.	<p>Director, Conduct and Integrity (exercising the function of Disclosures Coordinator)</p> <p>CALO</p>		
10.37	Take, facilitate or require any corrective actions to ensure the safety of people, animals, resources or the environment in relation to a purported public interest disclosure or public interest disclosure investigation.	The Chief People Officer and the Director, Conduct and Integrity (exercising the function of Disclosures Coordinator), acting together.	The exercise of this delegation can only occur with two approvers.	<p><a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a></p>

10.38	<p>Receive, assess, and determine public interest disclosure internal review requests.</p>	<p>Chancellor* Chair, Audit Committee* Vice-Chancellor CALO (exercising the function of Internal Review Officer)</p>	<p>The CALO will assume the role of Internal Review Officer.  Where the Internal Review Officer is conflicted, the order of who will assume the role of Internal Review Officer will be as follows:</p> <ol style="list-style-type: none"> <li>1. Vice-Chancellor,</li> <li>2. Chair, Audit Committee</li> <li>3. Chancellor.</li> </ol>	<p><a href="#">Public Interest Disclosure (Whistleblowing) Policy and Procedure</a></p>
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