

# Governance (Amendment, Relinquishment and Revocation of Awards) Rule 2015 No. 1

## Division 1 Introduction

### 1 Name of Rule

(1) This Rule is the Governance (Amendment, Relinquishment and Revocation of Awards) Rule 2015 No. 1.

(2) A reference to the Awards and Titles Policy — Rescinding and Relinquishing is deemed to be a reference to this Rule.

### 2 Commencement

(3) This Rule commences on 26 May 2015.

(4) This Rule replaces the Awards and Titles Policy — Rescinding and Relinquishing.

### 3 Purpose

(5) This Rule is enacted for the purpose of setting out the criteria and procedures for amendment, relinquishment and revocation of awards conferred by the University Council (Council) of Charles Sturt University (the University).

### 4 Authority

(6) This Rule is made pursuant to authority granted to the Council under section 20, 30, 31 and 32 of the [Charles Sturt University Act 1989](#).

(7) Note:

(8) Section 30 of the [Act](#) provides that the Council shall have a Common Seal and that it shall be kept in such custody as the Council may direct and shall only be affixed to a document pursuant to a resolution of the Council. Section 31 and 32 of the [Act](#) provides that the Council may make Rules with respect to governance, management and discipline of the University including with respect to the "use of the common seal". Section 20 of the [Act](#) provides that the Council may delegate any of its functions and powers, except its power of delegation.

### 5 Glossary

(9) In this Rule, unless the contrary intention appears:

- a. Deputy Director Governance and Academic Secretary - means the officer appointed as Deputy Director Governance and Academic Secretary of Charles Sturt University.
- b. Act - means the [Charles Sturt University Act 1989](#).
- c. Award - means a degree (including an honorary degree), diploma, certificate, licence or title (including an honorary title) conferred or granted by the Charles Sturt University Council.
- d. By-law - means the [Charles Sturt University By-law 2005](#).
- e. Fraud - includes, but is not limited to:
  - i. an untrue or misleading certification by a candidate in respect to certification of originality of a thesis or

work submitted in full or partial satisfaction of the requirements for the higher degree;

- ii. the use of material in any thesis or work which was knowingly false or fabricated, or with reckless disregard for the same;
- iii. knowingly, or recklessly, appropriating the ideas or work of another person and passing them off as one's own; or
- iv. admission to a course or subject based on information known to be inaccurate or incomplete, or which should reasonably have been known to be inaccurate or incomplete.

f. Honorary Award - is an award made under the [Governance \(Honorary Awards\) Rule 2012](#).

g. University Secretary - means the Secretary to the Charles Sturt University Council appointed under clause 19 of the [By-law](#) and, in relation to a particular function of the University Secretary, includes a person or persons appointed by the University Secretary who is authorised or directed by the University Secretary to exercise that function.

(10) In this Rule, unless the contrary intention appears:

- a. a word or term that has not been defined in this Rule has the same meaning attributed to that word or term in the Act or By-law;
- b. a reference to an officer of the University includes any person acting in that position; and
- c. headings and notes do not form part of this Rule.

## **6 Hyperlinks and Headings**

(11) Hyperlinks in the text of this Rule are for guidance only and do not form part of this Rule.

(12) Headings do not form part of this Rule.

## **Division 2 Amendment of Administrative Error in Award**

(13) The Vice-Chancellor may, on behalf of the Council, approve the amendment of an award that has been conferred on a person by the Council to correct an administrative error in the recording of the recipient's name, title or other relevant information on the certificate, testamur or document relating to that award.

(14) The Vice-Chancellor will report to the next meeting of the Council each instance where this authority has been exercised setting out:

- a. the details of the administrative error;
- b. the cause of the administration error;
- c. the action taken to correct the administrative error; and
- d. the actions taken, or that will be taken, to ensure the administrative error does not occur again.

## **Division 3 Relinquishment of Award**

(15) A person who is the recipient of an award conferred by the Council may relinquish that award or title. A person is not required to give reasons for relinquishing his or her award or title.

(16) A person who wishes to relinquish an award under clause 13 will do so in writing to the University Secretary.

(17) A person who has relinquished an award will return to the University the certificate or other document awarded in respect thereof and to cease reference to the holding of the degree or other academic award.

(18) The University Secretary, upon notification of the relinquishment, shall:

- a. in the official signed minutes of the Council and/or its committees, and in any other relevant documents, annotate references to the award or title with the words "relinquished by the recipient on [date]."
- b. advise the person in writing that the University has noted the fact that he or she has relinquished his or her award or title; and
- c. advise the relevant sections of the University who shall also annotate their records accordingly.

#### **Division 4 Revocation of Degree or Other Academic Award**

(19) If the Council is satisfied that a degree or other academic award (other than an honorary award) conferred or granted by the Council has been obtained by a person as a result of:

- a. fraud;
- b. an error by the University; or
- c. under other circumstances such that, had the Council been aware of those circumstances at the time of conferral, it would not have conferred the award in question;

it may revoke the award.

(20) Where a prima facie case exists for revoking a person's degree or other academic award, the Deputy Director Governance and Academic Secretary will prepare a report for the Academic Senate.

(21) The Academic Senate will thereafter make a recommendation for the consideration of the Council.

(22) A person who has had a degree or other academic award revoked will return to the University the certificate or other document awarded in respect thereof and to cease reference to the holding of the degree or other academic award.

(23) Where a person declines to return to the University the certificate or other document awarded, or continue to make reference to holding the degree or other academic award, the Council may request the University Secretary to publish on the Internet site of the University and in such other mediums as may be appropriate a notice that the award has been revoked.

#### **Division 5 Revocation of an Honorary Award**

(24) If the Council is satisfied that an honorary degree or award has been conferred on a person where:

- a. the details provided in support of a nomination for the award of an honorary degree or award are subsequently found to be incorrect or incomplete;
- b. a recipient of an honorary degree or award is convicted of a criminal offence, the maximum penalty for which is at least 12 months imprisonment;
- c. the accuracy or completeness of the information which was the basis for the honorary degree or award is, or is alleged to be, materially deficient; or
- d. the recipient of the honorary degree or award acts in a manner in the sole view of the Council that brings, or may bring, the University into disrepute;

(25) Where a prima facie case exists for revoking a person's honorary degree or award, the University Secretary will prepare a report and recommendation for the consideration of the Council.

(26) A person who has had an honorary award revoked will return to the University the certificate or other document awarded in respect thereof and to cease reference to the holding of the degree or other academic award.

(27) Where a person declines to return to the University the certificate awarded, or continue to make reference to holding the honorary degree or award, the Council may request the University Secretary to publish on the Internet site

of the University and in such other mediums as may be appropriate a notice that the honorary degree or award has been revoked.

### **Division 6 Lost, Stolen or Destroyed Documents**

(28) In cases where a person claims that that a certificate or other documentation attesting to an award has been lost, stolen or destroyed, the person shall provide a statutory declaration that states in the following or similar words:

I,... do solemnly and sincerely declare that the documentation that attests to the conferral upon me of the [name of award or title] has been [lost/destroyed]. I further declare that I wil not, in any manner whatsoever, assert or imply that I hold the [name of award or title].

(29) Where the documentation has been lost, the following additional sentence shall be added:

(30) Should I locate any or all of the documentation at a later date, I shall return it to the University.

### **Division 7 Transitional and Savings Provisions**

(31) This Rules applies to awards conferred or granted whether before or after its date of commencement.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	26th May 2015
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