

ORDINANCE NO. 15

AUSTRALIAN MARITIME COLLEGE (AMC)

**The Council of the University of Tasmania makes this Ordinance
under the University of Tasmania Act 1992.**

1 Commencement and replacement of earlier Ordinance 15

- 1.1 This Ordinance takes effect on 1 July 2012 and replaces the previous Ordinance 15 made by Council on 12 October 2007 (as amended by Ordinance 137, made by Council on 6 June 2008).
- 1.2 The Council notes the Maritime Legislation Amendment Act 2007 and continues to recognise the Heads of Agreement dated 20 October 2006 (or as amended) in respect of the integration of the AMC and UTAS.

2 Continuation in existence of AMC as an Institute of UTAS

- 2.1 AMC (previously the Australian Maritime College established under the Maritime College Act 1978 of the Commonwealth) is the primary national institute for Australia focussing on the maritime sector and has national and international roles in training, education and research.
- 2.2 AMC is continued in existence as an institute of the University and will operate in a manner that is consistent with the pursuit of the vision of the University.
- 2.3 AMC is bound by all University policies and procedures, except to the extent that they are inconsistent with this ordinance or as agreed in advance by the Vice-Chancellor.
- 2.4 AMC has a board (the Board) appointed by the Council and a Chief Executive (the Principal) appointed by the University after consultation with the AMC Board. The Chair of the Board is appointed by Council.
- 2.5 The Principal reports to the Board and, in relation to management issues, also to the Vice-Chancellor. The Principal's key performance indicators and assessment against them will be approved by the Vice-Chancellor following consideration of recommendations by the Board.
- 2.6 The Board reports to the Council and has the right to advise the Council through the Vice-Chancellor or the Academic Senate (as appropriate) on matters affecting the AMC.

3 Objectives of AMC

- 3.1 The objectives of AMC are –
- providing maritime and related education and training suitable for seafarers and other participants in the maritime industry
 - conducting examinations and assessments for marine competency under the Navigation Act 1912
 - conducting research activities and programs relating to maritime and related education and training, including pure and applied research, consultancies for government and industry and research training.

4 Board membership

- 4.1 The Board comprises the Principal ex officio, plus not more than 9 members (including the Chair) appointed by the Council.
- 4.2 The skills and backgrounds of the Board membership is to include direct experience and knowledge of:
- Working in the maritime industry
 - Shipping regulation and safety requirements Maritime law
 - Vocational education and training
 - Higher education and research
 - Financial matters
 - Organisational strategy.
- 4.3 A Board member (other than an ex officio member) holds office subject to this Ordinance for a term not exceeding 3 years and is eligible for reappointment, with a maximum total term of 6 years unless Council determines otherwise in a particular case. Terms of office of members should be staggered to provide continuity, with up to 2 members retiring each year.
- 4.4 A Board member (other than an ex officio member) vacates office if –
- (a) The member fails to attend 3 consecutive Board meetings without the leave of the Board
 - (b) The member, in the opinion of Council, becomes incapable of carrying out the functions of a member
 - (c) The member is or becomes disqualified from acting as a director of a company or managing corporations under Part 2D.6 of the Corporations Act
 - (d) The member resigns in writing to the Chair or, in the case of the Chair, to the Vice-Chancellor
 - (e) The member is dismissed by a resolution of Council, following consultation with the other members of the Board.
- 4.5 A vacancy in the office of a Board member does not affect the validity of any action of the Board.
- 4.6 The quorum for a meeting of the Board is a majority of current members.

5 Powers and Responsibilities of the Board

- 5.1 The AMC Board will set the priorities and determine the strategies for achieving the objectives of the AMC, in consultation with the Vice-Chancellor and in alignment with the strategic priorities of UTAS generally.
- 5.2 The AMC Board will monitor implementation of the strategic priorities.
- 5.3 The AMC Board will determine the AMC budget submission to the University, and will, once the AMC budget is finalised by the UTAS Council, monitor high level compliance with that budget.
- 5.4 The Board will forward the minutes of each Board meeting to the Council within 4 weeks after the meeting.
- 5.5 The Board is responsible for maintaining AMC's relationships with international, national and state maritime regulatory agencies and industry.
- 5.6 The Board will assist as appropriate with the maximisation of funding, including from government, industry and philanthropic sources.
- 5.7 The Board, along with the University, is responsible for the development and maintenance of the AMC brand and reputation.
- 5.8 The Board is responsible for recommending to Council potential members for appointment to the Board. The Board remains responsible for the appointment of directors of any controlled entities of AMC, and for oversight of those controlled entities as delegated by Council.

6 AMC Learning and Teaching Committee

- 6.1 The Board will establish a Learning and Teaching Committee for the AMC, with similar functions to Faculty learning and teaching committees. The terms of reference and composition of the Learning and Teaching Committee will be recommended to Academic Senate by the Board.
- 6.2 Acting on behalf of the Board, the Learning and Teaching Committee will advise and report to the Academic Senate (and Council as appropriate) on academic issues.
- 6.3 The Learning and Teaching Committee, through the Principal, will inform the Board about advice and reports provided to the Academic Senate.

7 Delegation to the Learning and Teaching Committee through the AMC Board

- 7.1 The Academic Senate is ultimately responsible to Council for academic matters, but Council delegates through the Academic Senate those functions listed in this clause to the AMC Learning and Teaching Committee, which will report regularly to Academic Senate (and Council as appropriate) on the exercise of these delegations.

Made by Council on 29 June 2012 (Resolution no. 12/5/7)

Amended by Ordinance 153 (Council 18 October 2013)

Amended by Resolution no. 15/2/374 (Council 27 March 2015)

- 7.2 Council delegates to the Learning and Teaching Committee, in the context of national accreditation processes for vocational education and training, the development, approval and quality assurance of AMC vocational education and training courses and awards and marine competency programs, including the conducting of examinations and assessments for marine competencies.
- 7.3 The Learning and Teaching Committee will report to the first and last scheduled Academic Senate meeting each year, or as otherwise required by Academic Senate, on the exercise of these delegations.
- 7.4 The Learning and Teaching Committee will, in accordance with UTAS academic principles, quality assurance policies and protocols, recommend to Academic Senate for approval any proposals for significant changes to courses, units and higher education awards, or for new courses, units and higher education awards.
- 7.5 Research and research training through the AMC will be conducted in accordance with UTAS policies and protocols, established by the Academic Senate.

8 Role of Principal

- 8.1 The Principal reports to the AMC Board and, in relation to management issues, also to the Vice-Chancellor.
- 8.2 The Principal must ensure that the AMC adheres to the UTAS budget and planning process and financial management requirements, including the associated reporting frameworks.
- 8.3 The Principal has the delegations set out in the UTAS delegations documentation.
- 8.4 In clause 8.1 (and clauses 2.5 and 9.1), ‘management issues’ includes –
- Financial management
 - Quality management
 - Risk management
 - Human resource management
 - Information technology management
 - Contract management and other legal issues
 - Compliance with UTAS policies and procedures.

9 Provision of information

- 9.1 If the Board forms the opinion that matters have arisen that may –
- Prevent, or significantly affect, achievement of the objectives of AMC
 - Significantly affect the strategies and policy AMC is following to achieve those objectives

- Significantly affect the financial performance of AMC –

the Board must as soon as practicable notify the Vice-Chancellor of its opinion and the reasons for it.

10 Indemnities and insurance

10.1 Indemnity

Each member of the Board is indemnified as set out in section 22 of the University of Tasmania Act 1992 for acts or things done or omitted in good faith in their capacity as Board member.

10.2 Insurance

The University will insure each member of the Board against liability for acts and omissions in good faith and for a proper purpose in their capacity as Board member.

11 Board membership – transitional provision

11.1 The members of the Board in office at the commencement of this ordinance remain in office on the same terms and conditions until the expiry of their term, as set out in the table.

Dr Mike Vertigan (Chair)	01/02/12 – 31/12/14
Mr Graham Peachey	01/01/12 – 31/12/14
Mr Paul Byrne	01/01/10 – 31/12/14
Mr Bob Ruddick	01/01/12 – 31/12/14
Prof Geoff Wilson	01/01/12 – 31/12/14
Dr Sarah Derrington	30/06/12 – 31/12/14
Vacant position	
UTAS Provost (Professor David Rich) ex officio (<i>Formal membership was approved by the AMC Board B029, 4/7/2013</i>)	With effect from 1/7/13
Professor Neil Bose	From 01/01/12

Made by Council on 29 June 2012.

Sealed with the seal of the University of Tasmania on 6 July 2012.

Professor Peter Rathjen
Vice-Chancellor

Ms Belinda Webster
General Counsel & University Secretary