

RULE CHANGES APPROVED UNDER DELEGATION 3.14.1

Arising out of the appointment of the new Chief Operating Officer and amalgamation of the Resources and Corporate Service portfolios, administrative amendments are required to Schedule G1 and Schedule G2 in the General Rules to align Units and position titles.

The amendments were approved on 3 December 2021 and 16 December 2021 by the Director, Governance Support Unit under Delegation 3.14.1, which states:

[That the Director, Governance Support Unit has authority to] Approve managerial and operational changes to Rules, Delegations, Policies, and similar instruments, where such changes do not change the prescribed approval authorities, or general intent.

THE APPROVED AMENDMENTS TO THE UTS RULES ARE PROVIDED BELOW

[new text **bold underlined**, text to be deleted in ~~**bold and strikethrough**~~]

UTS General Rules

Schedule G1 — Delegations Principles

These Delegations Principles should be read in conjunction with the Strategic Delegations (Schedule G2) and Delegations Schedule, which together form the 'Delegations'.

In exercising any delegated function, a delegate must observe the following principles.

1. Delegated functions may only be exercised if provided for by the Delegations or a specific resolution from Council.
2. These delegations are to be exercised subject to and in accordance with any relevant legislation, including, but not limited to, the UTS Act and UTS By-law, as well as the UTS Rules, UTS enterprise agreements, UTS policies, codes of conduct, guidelines, procedures and management designations, authorisations and instructions.
3. In the event of any inconsistency between the contents of the Delegations, and the contents of any policy or procedural documents, the contents of the Delegations shall prevail.
4. In exercising any delegation, the delegate must comply with relevant laws and the University's governance instruments, and have regard to general principles of procedural fairness.
5. A delegation is limited to the business and affairs of the relevant business area unless otherwise specified in the terms of the delegation.
6. Any exercise of delegation is to be within approved budgets, aligned with business plans and staff profiles, and within requirements of any enterprise agreements (unless otherwise noted).

7. In exercising a delegated function, a delegate may seek appropriate advice in order to be properly informed. However, the delegated function must be exercised by the delegate without any undue influence by any other person or body.

8. A delegate has the authority to make decisions in either the positive or negative. That is, for all decisions taken, the delegate may either determine to take a particular action (including to rescind, disestablish and terminate) or to take no action.

9. To ensure administrative efficiency of UTS operations:

(a) a delegate under Delegation 1.2 may authorise an employee under that delegate's supervision to expend funds for and on behalf of, and in the name of, that delegate, which do not exceed thresholds of \$50,000, \$20,000, \$10,000 and \$5000 (these are identified as bands 5 to 8 respectively). Any authorisation may only be granted and exercised in accordance with guidelines issued from time to time by the Chief Financial Officer, who must also maintain a register of authorisations. The principles relevant to the exercise of Council delegations apply equally to holders of authorisations to expend funds.

(b) where provision is made within section 2 of the Delegations Schedule, a delegate may authorise an employee under that delegate's supervision to perform functions for and on behalf of, and in the name of, that delegate, provided that the authorisation is approved by the **Provost Director, People (for academic staff) and the Deputy Vice-Chancellor (Corporate Services) (for professional staff)**. Any authorisation may only be granted and exercised in accordance with guidelines issued from time to time by the Director, **Human Resources People**, who must also maintain a register of authorisations. The principles relevant to the exercise of Council delegations apply equally to holders of human resources authorisations.

10. A delegation relates to the delegate's position, not the individual occupying the position. A delegation extends to any person officially acting in that position on a temporary basis, unless otherwise specified in the appointment to act.

11. Delegations have been created with the University's organisation structure in mind. Delegations are therefore also held by a delegate's supervisor. If a delegate is unable to carry out the duties associated with his or her delegation for any reason, including a potential or actual conflict of interest or a temporary incapacity or absence, the delegation may be exercised by the delegate's supervisor. Delegations 1.10 to 1.13 operate in exception to this principle.

12. Where a power or authority is delegated to exercise functions, then that power or authority extends to the execution of documents (eg contracts, agreements) necessary to give effect to that function (in accordance with the relevant UTS Rules, policies and procedures relating to the execution of documents) unless a specific delegation states otherwise.

13. Delegation limits apply to transactions, and a transaction may not be separated into parts, nor may the total cost of a transaction be set off by deductions or trade-ins in order to meet a limit on a delegate's authority. Generally, taxes and duties are to be included in the total cost of the transaction except, where claimable [1], the goods and services tax (GST), which is not to be included. A delegation is required both to enter into the transaction and to authorise the payments under the transaction. Except in the case of

capital works (see Delegation 1.3), a variation in the cost of a transaction must be approved by the delegate who approved the original transaction if the total amount is within their delegation. Should the sum of the variation and the original cost exceed the delegate's authority, the variation must be submitted for approval to another delegate who has the necessary level of authority.

14. (a) Delegated functions may not be exercised by a person who is not a UTS employee unless the instrument of delegation or specific Council resolution expressly states that such delegation may be exercised.

(b) In exercising any delegation the delegate must act in the interests of the University for the purpose delegated and not for any improper purpose.

15. (a) A delegate may not exercise a delegation that would provide them with any direct or indirect benefit (refer Code of Conduct). Therefore, delegates may not approve matters including their own appointment, remuneration, payment or reimbursement, promotion, transfer or secondment, travel, absence or termination.

(b) Where members of the UTS Council or a Council committee are involved in any way other than in their role as a Council or Council committee member, and the delegate (or nominee) is aware of that involvement, the delegate (or nominee) must disclose that involvement to the University Secretary. The University Secretary must notify the Chancellor. In such cases, no delegation may be exercised until the University Secretary has confirmed in writing the approval of the use of the delegated authority.

16. It is a requirement that records be kept of all decisions taken under the Delegations.

17. Members of the UTS Senior Executive may act on urgent matters in the absence of other members, in accordance with section 2.2, Schedule G2. Council has determined that, in the deemed absence of both the Chancellor and the Deputy Chancellor, the Chancellor's authority with respect to affixing the seal, taking executive action or approving any matter which Council has delegated to the Chancellor shall be exercised by a member of the Council, not being a member of UTS staff, in a specified order subject to their availability: section 2.3, Schedule G2.

Schedule G2 – Strategic Delegations

1.2 – General Expenditure

Council has approved the following general expenditure delegations. All expenditure is to be within approved budget, within area of responsibility and aligned to the delivery of the UTS Strategic Objectives.

Band	Delegate by position	Limit
Band 1	Vice-Chancellor	\$10,000,000
Band 2	Provost Deputy Vice-Chancellors Chief Operating Officer	\$2,000,000
Band 3	Vice-President, Advancement	\$750,000

	<p>Pro Vice-Chancellor Assistant Deputy Vice-Chancellor Chief Financial Officer Chief Information Officer Chief Marketing and Communications Officer Chief Data Officer Deans University Secretary and Director, Governance Support Unit Director, Risk Director, Australia-China Relations Institute Director, Human Resources Unit People Director, Institute for Public Policy and Governance Director, Institute for Sustainable Futures Director, Campus Strategy and Facilities Property Director, Research Office Director, UTS International Executive Director, Social Justice General Counsel University Librarian</p>	
Band 4	<p>Professional unit directors (not identified above) Director, Centre for Health Economics Research and Evaluation Director, Entrepreneurship Director of New Business Education and Students Deputy Director, Human Resources Unit Associate deans Deputy deans Head of IT Operations Deputy Chief Information Officer, Strategic Planning and Architecture Head of IT, New Business, Enterprise and Community Head of IT Learning and Teaching Deputy University Secretary and Deputy Director, Governance Support Unit Director, Jumbunna Research Faculty managers (or equivalent position) General Manager (Technical Services) (Faculty of Science) Heads of school/department/discipline (as titled for each faculty or school) Manager, Audio Visual Services (Information Technology Division) Faculty Technical Resources Manager</p>	\$250,000