ORDINANCE NO 17

INSTITUTE FOR MARINE AND ANTARCTIC STUDIES

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

1 Commencement

1.1 This ordinance takes effect on 1 January 2010.

2 Establishment of Institute for Marine and Antarctic Studies (IMAS)

2.1 The Institute of Marine and Antarctic Studies (IMAS) is established as an institute of UTAS and will operate in a manner that is consistent with the mission of UTAS.

2.2 IMAS is bound by all university policies and procedures, except to the extent that they are inconsistent with this ordinance or as specified in writing in advance by the Vice-Chancellor.

2.3 IMAS has a board (the Board) appointed by the Council and a chief executive (the Executive Director) appointed by UTAS.

2.4 The Executive Director reports to the Board. The Board is accountable to the Council through the Vice-Chancellor.

3 Mission of IMAS

3.1 IMAS will be an internationally recognised research institute with a capability for delivering excellence in both pure and applied marine and Antarctic research and research training characterised by –

- Enhancing the reputation of UTAS and the State of Tasmania in marine and Antarctic studies both nationally and internationally through high quality outputs
- A high responsiveness to the needs of stakeholders external to the university
- Contributing to the sustainable development, utilisation and management of marine resources
- Contributing to the development and application of policy in the marine and Antarctic environment
- Continuing to build extensive local, national and international research collaboration and networks
- Contributing to excellence in learning and teaching and research training to meet the needs of industry and the discipline
• Engaging in knowledge transfer and enterprise.

4 Objectives of IMAS

4.1 The objectives of IMAS are –
• To enhance both the national and international profile of marine and Antarctic studies in Tasmania
• To enhance opportunities for national and international collaborative research, enhancing research funding and increasing publications in international journals
• To enhance knowledge transfer and enterprise and confer increased benefits to the Tasmanian aquaculture and fisheries industries
• To undertake research training and teaching and learning activities and develop postgraduate coursework programs that are consistent with these objectives.

4.2 Council will delegate to the IMAS Board sufficient authority and autonomy to enable the Board to work towards those objectives.

5 Responsibilities of the Board

5.1 The Board is to oversee the preparation of a 3-5 year strategic plan, consistent with the UTAS Strategic Plan, which will provide the context for the annual statement of intent.

5.2 The Board is responsible for implementing the annual statement of intent referred to in clauses 7 and 8 and reporting to the Council through the Vice-Chancellor against it once the Vice-Chancellor has approved it.

5.3 The Board is responsible for overseeing the delegations of responsibility, including financial delegations, made to IMAS under the UTAS delegations framework.

5.4 The Board reports to Academic Senate on quality assurance policies and protocols and changes in postgraduate coursework units and awards offered principally through IMAS.

5.5 The Board, reporting through the Academic Senate or the Vice-Chancellor as appropriate, may provide advice to Council on matters relating to IMAS.

6 Strategic Plan for IMAS

6.1 The Board is to submit the strategic plan referred to in clause 5.1 to the Vice-Chancellor for approval by the UTAS Council by 30 June in the first year after its
creation and within 28 days after every substantial amendment to the plan after that.

6.2 The strategic plan will detail the intended activities of IMAS and its interaction with the rest of UTAS and with the aquaculture and fisheries industries, government and the wider community over the period covered by the plan.

7 Annual statement of intent – content

7.1 The Board is to prepare an annual statement of intent that includes, for the year to which it relates –

- The main undertakings of IMAS
- The research program of IMAS
- The relationship of IMAS with the rest of the University, the aquaculture and fisheries industries, government and the wider community
- The performance targets and other measures (including budget) by which the performance of IMAS may be judged in relation to its stated objectives
- The nature and type of information to be provided to the Council by IMAS during that year, including the information to be included in each quarterly and half-yearly report
- Any other matters that are agreed on by the Vice-Chancellor and the Board from time to time.

7.2 The Board must submit the annual statement of intent to the Council through the Vice-Chancellor, once the Vice-Chancellor has approved it.

7.3 The Board is responsible for implementing the annual statement of intent, and reporting to the Council through the Vice-Chancellor against it, once the Vice-Chancellor has approved it.

8 Annual statement of intent – timetable and procedure

8.1 The Board must submit a draft annual statement of intent to the Vice-Chancellor not later than 15 July of the preceding year.

8.2 The Board must consider any comments on the draft that are made to it by the Vice-Chancellor before 15 August.

8.3 The Board must consult in good faith with the Vice-Chancellor about those comments, make any changes to the draft that are agreed between the Vice-Chancellor and the Board, and deliver the completed statement to the Vice-Chancellor by 15 September.

8.4 The statement may be modified at any time by the Board with the prior approval of the Vice-Chancellor.

8.5 If the Board, by written notice to the Vice-Chancellor, proposes a modification of the statement, the Board may make the modification if the Vice-Chancellor has
not, within 14 days after receiving the notice, directed the Board not to make the modification.

8.6 The Vice-Chancellor may from time to time by written notice to the Board direct the Board to include in or omit from the statement of intent any specified matters.

8.7 Before giving a direction, the Vice-Chancellor must consult with the Board as to the matters to be referred to in the notice.

8.8 IMAS must comply with any such direction.

8.9 The statement of intent for IMAS is the completed statement as modified according to this ordinance.

9 Supplementary information

9.1 Requested information

If requested in writing by the Vice-Chancellor the Board must, within 28 days after receiving the request, provide to the Vice-Chancellor –
(a) The financial information of IMAS specified in the request
(b) A report on the matters specified in the request with any related information.

9.2 Significant events

If the Board forms the opinion that matters have arisen that may –
(a) Prevent, or significantly affect, achievement of the objectives of IMAS; or
(b) Significantly affect the strategies and policy IMAS is following to achieve those objectives; or
(c) Significantly affect the financial performance of IMAS – the Board must as soon as practicable notify the Vice-Chancellor of its opinion and the reasons for it.

10 Board membership

10.1 The Board comprises these members –
• 3 members (including the Chair) appointed by the Council
• 2 members nominated by the State Government and appointed by the Council
• 2 stakeholder members appointed by the Council from a panel recommended by the Board
• 1 eminent research scientist in marine science, appointed by the Council from a panel recommended by the Board
• The Executive Director (ex officio).
10.2 Board members should have skills in one or more of these areas –
  - Corporate governance and legal
  - Financial/business management
  - Aquaculture and capture fisheries
  - Biodiversity, conservation and living marine resources management
  - Antarctic and Southern Ocean research
  - Aquaculture, fisheries and inshore marine environment research
  - Research management
  - International marketing, trade and tourism
  - Public relations and communications
  - Intellectual property
  - Ethics.

10.3 A Board 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.

10.4 The terms of the initial members of the Board will be staggered to provide for the retirement of 2 members each year.

10.5 A member of the Board 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.

10.6 The quorum for a meeting of the Board is a majority of the current members.

11 Indemnities and insurance

11.1 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.

11.2 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.
Made by Council on day month 2009.

Sealed with the seal of the University of Tasmania on 2009.

Vice-Chancellor

Director, Governance & Legal