

Statute No. 32

OBLIGATIONS STATUTE 1995

Citation

1. This Statute may be cited as the *Obligations Statute 1995*.

Repeal

2. The Obligations Statute (Statute No. 27 of the Canberra College of Advanced Education) is repealed.

Definitions

3. In this Statute, unless the contrary appears intention appears: "certificate" means a certificate issued under section 4.

Certificates

4. If the Vice-Chancellor is satisfied that a person who is or has been a student is in default in respect of a financial obligation under the Statutes or is otherwise indebted to the University, the Vice-Chancellor may issue a certificate in writing stating that the Vice-Chancellor is so satisfied and giving particulars of the relevant default or debt.

Effect of certificates

- 5.(1) In spite of anything in any other Statute or in Rules made under a Statute, but subject to the provisions of subsection (2), a person to whom a certificate relates is not entitled, while the certificate remains unrevoked:

- (a) to be enrolled or re-enrolled as a student; or
- (b) to have an award of the University conferred on the person; or
- (c) to be furnished with a document that states that the person has completed the whole or a part of a course.

- (2) If a person to whom a certificate relates has given notice under subsection 8 (1) appealing against the issue of that certificate, nothing in subsection (1) is to be taken to prevent the enrolment or re-enrolment of that person pending determination of the appeal.

Procedure on issue of certificates

6. Where the Vice-Chancellor issues a certificate, the Vice-Chancellor must:
 - (a) forthwith cause a copy of the certificate to be posted by pre-paid mail in a sealed envelope addressed to the person to whom the certificate relates at the last address of the person shown in the records of the University; and

- (b) at the meeting of the Council next following the issue of the certificate, cause the Council to be given particulars of the certificate.

Revocation

7.(1) The Vice-Chancellor may, at any time, revoke a certificate.

(2) The Vice-Chancellor must revoke a certificate if the person to whom it relates ceases to be in default in respect of the relevant obligation or to be indebted to the University.

Appeals

8.(1) A person to whom a certificate relates may, within 6 months, or such longer period as the Council, having regard to all relevant considerations, considers reasonable, after the issue of the certificate, give notice in writing to the Registrar that the person is appealing against the issue of a certificate.

(2) A notice under subsection (1) may be given by being posted by pre-paid mail addressed to the Registrar at the University.

(3) If a person gives notice under subsection (1), the Registrar must cause particulars of the notice to be given to the Council at its next meeting following the receipt of the notice.

(4) If a person gives notice under subsection (1) that the person is appealing against the issue of a certificate, the Council, or a committee of the Council appointed by the Council for the purpose, must:

- (a) as soon as practical, consider whether the certificate should continue in force; and
- (b) before so considering, given the person an opportunity to make written or oral submissions, to the Council or the Committee, as the case may be, of reasons why the certificate should not continue in force; and
- (c) as soon as practicable after so considering, determine whether or not the certificate should continue in force; and
- (d) if it considers that the certificate should not remain in force, revoke the certificate.

Given under the Seal of the University of Canberra

the 10th day of November 1995.

 Vice-Chancellor

 Registrar

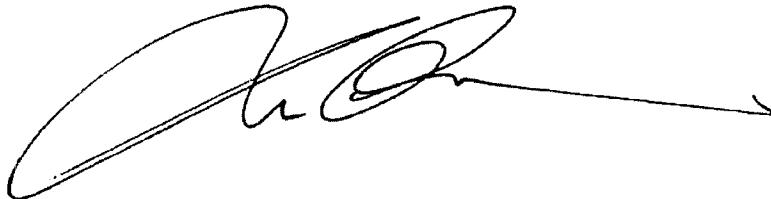
I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby approve the foregoing Statute.

Dated

20-12-95


Governor-General

By His Excellency's Command,



Minister for Employment, Education and Training