

VICTORIA UNIVERSITY

Victoria University Act 2010

Student Appeals Regulations 2019 (Amendment No.1)

The Vice-Chancellor makes the following Regulations:

Dated: 30th of June 2022

THE COMMON SEAL of **VICTORIA**)
UNIVERSITY was affixed to this)
document at the directions of the)
COUNCIL in the presence of:)
)




.....
Professor Adam Shoemaker
Vice-Chancellor and President


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Professor John Germov
Deputy Vice-Chancellor Higher Education

Student Appeals Regulations 2019 (Amendment No. 1)

1. Objective

The objective of this Regulation is to amend the Student Appeals Regulations 2019. These Regulations are made under the *Governance, Academic and Student Affairs Statute 2013* and sections 28, 29 and 30 of the *Victoria University Act 2010*.

2. Commencement

This amending Regulation will come into operation on the date it is sealed.

3. Amendments

Clause 4 Definitions of the *Student Appeals Regulations 2019* is amended as follows: delete the words “**admission decision** means a final decision made under any University policy or procedure relating to admission decisions”;

Clause 4 Definitions of the *Student Appeals Regulations 2019* is amended as follows: the words “**Australian legal practitioner** is an Australian lawyer who holds a current local practising certificate or a current interstate practising certificate in Australia” shall be replaced with the words “**Australian legal practitioner** has the same meaning as in the *Legal Profession Uniform Law Application Act 2014*”;

Clause 4 Definitions of the *Student Appeals Regulations 2019* is amended as follows: the words “**complaint decision** means a decision made the University's general student complaint policy and procedures” shall be replaced with the words “**complaint decision** means a decision made as a result of an investigation by a senior officer under Part E of the University's Student Complaints Procedure”;

Clause 4 Definitions of the *Student Appeals Regulations 2019* is amended as follows: the words “**senior staff** means anyone nominated by the Vice Chancellor to be a member of the Appeal Panel” shall be replaced with the words “**senior officer** means anyone nominated by the Vice-Chancellor from a pool of senior staff to either serve on or Chair the Student Appeal Panel”;

Clause 4 Definitions of the *Student Appeals Regulations 2019* is amended as follows: the words “**University business day** means any weekdays on which the University is open for normal business and includes semester breaks, study and examination periods, and any public holidays not observed by the University. It excludes all weekend days, public holidays that are observed by the University and University Holidays declared on an annual basis (such as Easter Tuesday and Christmas shutdown periods)” shall be replaced with the words “**University business day** means any weekdays on which the University is open for normal business and includes semester breaks, study and examination periods, and any public holidays not observed by the University. It excludes all weekend days, public holidays that are observed by the University and University Holidays declared on an annual basis (such as Easter Tuesday and Christmas shutdown periods)”;

Clause 6(c) of the *Student Appeals Regulations 2019* is amended as follows: the words “the decision was manifestly wrong or was manifestly excessive” shall be replaced with the words “the decision was manifestly wrong or the sanction was manifestly excessive”;

Clause 7(2) of the *Student Appeals Regulations 2019* is amended as follows: the words "The notice of appeal must clearly state the ground or grounds for appeal, summarise the basis for each ground or grounds and include any relevant material on which the student or eligible person wishes to rely" shall be replaced with the words "The notice of appeal must be on the prescribed form and clearly state the ground or grounds for appeal, summarise the basis for each ground or grounds and include any relevant material on which the student or eligible person wishes to rely";

Clause 10(1) of the *Student Appeals Regulations 2019* is amended as follows: replace the word "persons" with "members";

Clause 10(1)(a) of the *Student Appeals Regulations 2019* is amended as follows: replace the word "staff" with "officers";

Clause 10(1) of the *Student Appeals Regulations 2019* is amended as follows: the addition of the following words "(c) in the case of an appeal relating to research matters, at least one member must be a research staff currently serving on the Academic Board or its research committee";

Clause 10(1) of the *Student Appeals Regulations 2019* is amended as follows: the words "Notwithstanding regulation 10(1)(a) and regulation 10(1)(b)" shall be replaced with the words "Notwithstanding regulations 10(1)(a), 10(1)(b) and 10(1)(c)".

Clause 10(1) of the *Student Appeals Regulations 2019* is amended as follows: the renumbering of clauses (c), (d) and (e) with (d) (e) and (f).

Made:

Application of the Common Seal