



# Melbourne College of Divinity

## Regulation 1: General Provisions

### GOVERNANCE

#### A Regulation to Change the Titles of Certain Officers, and the name, of the College

**Preamble:** It is expected that from 1 January, 2012 the Melbourne College of Divinity will become a specialised university to be known as the MCD University of Divinity. From that date it is intended that the President, Vice-President and Dean will use the titles Chancellor, Deputy Chancellor and Vice Chancellor respectively. However, action to change the Melbourne College of Divinity Act 1910 to provide for the new name and titles is not expected to be taken for some time.

**Purpose:** This regulation therefore provides for the necessary changes in name and titles until legislative action and subsequent changes to the detail of the regulations are completed.

#### 1.0 – Transitional arrangements to University status

- 1.0.1 This Regulation must come into effect on the date on which the institution, the Melbourne College of Divinity, becomes able to operate as a specialised university with the specialised title 'MCD University of Divinity'.
- 1.0.2 The senior officers of the institution are the Chancellor, Deputy Chancellor, Vice Chancellor and Registrar.
- 1.0.3 Notwithstanding anything to the contrary in the Regulations, reference to the 'College', 'Melbourne College of Divinity' or 'MCD' in the Regulations and other documents of the institution must be read as referring to 'MCD University of Divinity'.
- 1.0.4 Notwithstanding anything to the contrary in the Regulations, reference to the 'President' or the 'Vice-President' in the Regulations and other documents of the institution must be read as referring to the 'Chancellor' or 'Deputy Chancellor' respectively.
- 1.0.5 Notwithstanding anything to the contrary in the Regulations, reference to the 'Dean' in the Regulations and other documents of the institution must be read as referring to the 'Vice Chancellor'.
- 1.0.6 This Regulation must cease to have effect if and when the Act and the Regulations have been amended to reflect the new institutional arrangements.

#### 1.1 – The President and others

- 1.1.1 As required by section 14 of the MCD Act, the Council must elect a President and a Vice President of the College from amongst its members.
- 1.1.2 The President and Vice President of the College must normally be elected annually by ballot at the last scheduled meeting of the Council in the year prior to taking office.



# Melbourne College of Divinity

- 1.1.3 Any member having served as President or Vice-President for two years in succession shall not be eligible for re-election for the same office until the lapse of one year.
- 1.1.4 A President leaving that position must become the Immediate Past President unless they are no longer a member of the Council or they are unable to act.
- 1.1.5 Except where Council in the Terms of Reference of a Council committee has determined otherwise, subject to the Act and Regulations the President and Vice President are members of all Boards and committees of the College.

## **1.1A – The Dean**

- 1.1A.1 As required by section 19(1) (a) of the MCD Act the Council must appoint a Dean who is the Chief Executive Officer of the College.
- 1.1A.2 The period of the Dean's appointment, and the general terms and conditions under which the appointment is made, must be determined by the Council and include the conditions under which the appointment may be terminated by either party.
- 1.1A.3 By virtue of holding that office, the Dean is a member of the Council in accordance with section 7(1) (a) of the MCD Act.
- 1.1A.4 The Dean must exercise general oversight of the educational and administrative affairs of the College.
- 1.1A.5 Except where Council in the Terms of Reference of a Council committee has determined otherwise, subject to the Act and regulations the Dean is a member of all Boards and committees of the College and may exercise any of the powers of the Council that are necessary for or incidental to the proper administration of the College.
- 1.1A.6 Where the Dean is unable to perform the duties of office due to illness or absence, or where a vacancy occurs, the Council must appoint an acting Dean, who exercises all the powers of the Dean. Where urgent action is necessary, the President must appoint an acting Dean for the period up to the next meeting of the Council.

## **1.1B – The Registrar**

- 1.1B.1 As required by section 19(1) (b) of the MCD Act the Council must appoint a Registrar who is the public officer and secretary of the College.
- 1.1B.2 The period of the Registrar's appointment, and the general terms and conditions upon which the appointment is made must be determined by the Council and include the conditions under which the appointment may be terminated by either party.
- 1.1B.3 The Registrar, as the secretary to the College, is generally responsible for the administrative services, finances, property, records (including the academic records of students) and publications of the College.



# Melbourne College of Divinity

- 1.1B.4 Except where Council in the Terms of Reference of a Council committee has determined otherwise, subject to the Act and regulations the Registrar is a member of all Boards and committees of the College and secretary but not a member of the Council.
- 1.1B.5 Where the Registrar is unable to perform the duties of office due to illness or absence, or where a vacancy occurs, the Council must appoint an acting Registrar to undertake all the duties of the Registrar. Where urgent action is necessary, the President must appoint an acting Registrar for the period up to the next meeting of the Council.

## **1.1C – Honorary Treasurer**

- 1.1C1. The Council must annually appoint one of its members as Honorary Treasurer of the College
- 1.1C.2 The Honorary Treasurer must:
- 1.1C.2.1 chair the Finance & Investment Committee;
  - 1.1C.2.2 liaise with the Registrar in the preparation of the accounts, and present these to the Council;
  - 1.1C.2.3 except where a committee with auditing responsibilities has been established by the Council, discuss with the Auditors their audit program, receive the audited accounts and report, and present them to the Council.
  - 1.1C.2.4 be available to the Dean and Registrar for consultation on financial and administrative matters.

## **1.2 – Advisers to Meetings**

- 1.2.1 The Dean and the Registrar must attend all meetings of the Council unless excused by the President.
- 1.2.1 The Council, by resolution, must determine which officers of the College who are not members of the Council may regularly attend meetings of the Council.
- 1.2.3 Where it is judged to be advantageous to the considerations of the Council at its meeting, the Council or the President on behalf of the Council may arrange for such persons as necessary to attend all or part of any meeting of the Council.

## **1.3 – The Seal of the College**

- 1.3.1 The seal of the College shall be in the custody of the Registrar and shall be used only as hereinafter provided.
- 1.3.2 The Registrar is hereby authorised to affix the seal –
- a) to the testamur to be issued in respect of a degree to which a person has been admitted by the Council;



# Melbourne College of Divinity

b) to a diploma or certificate granted by the Council.

1.3.3 Any other instrument required to be under the seal of the College shall have the seal affixed to it by direction of the Council and not otherwise, provided that in matters which in the opinion of the President or the Vice-President are formal or of special urgency the seal may be affixed by direction of the President or the Vice-President and the action thus taken shall be reported to the Council at the first opportunity, and a record made in the Council minutes.

1.3.4 When the seal is affixed under sub-section 1.3.3, the form used shall be: "Given under the Common Seal of the Melbourne College of Divinity" by direction of the Council, the President or Vice-President (as the case may be) or to the like effect;

1.3.5 The seal must be attested by affixing the signatures of the President or the Vice-President, the Registrar, and by the Chair of the Academic Board in the case of testamurs, or such person as the Council may from time to time appoint for the purpose; such attestation will, with respect to any person dealing with the College, be sufficient evidence of the due affixing of the seal.

## 1.4 – Conferring of Degrees and Awarding of Diplomas

1.4.1 Degrees shall be conferred and Diplomas awarded at a conferring ceremony authorised by the Council at which the President or other member of the Council presides.

1.4.2 The general form of the ceremonial must be in accordance with the resolutions of the Council.

## 1.5 – Academic Dress

Unless otherwise provided by Council, members of Council, academic and non-academic members of staff, graduates and undergraduates must appear in academic dress at public ceremonies of the MCD and on any other occasions Council prescribes.

### Academic dress for members of Council and members of staff of the MCD

The academic dress for members of Council, members of the academic staff, and members of the professional staff of the MCD or of its RTIs, is the habit of their degrees or a gown and trencher as for a Master of Arts.

### Academic dress for graduands, diplomates and graduate diplomates of the MCD

Irrespective of other degrees held, graduands, diplomates and graduate diplomates must wear at conferral ceremonies the appropriate academic dress associated with the award being granted by the MCD. The recipients of awards at Conferral must adhere to the following:

**Doctors of Divinity** and **Doctors of Sacred Theology (hon)**: for full dress, a gown and hood\* of scarlet cloth faced with purple silk and of the shape of the full dress gown for Doctors of Philosophy in the University of Melbourne; for informal dress, a black gown with full sleeves and the hood proper to the degree.

\* A 'hood' referred to in this regulation is of the size and shape of the hood of the University of Oxford Master of Arts.



# Melbourne College of Divinity

**Doctors of Theology:** for full dress, a gown of black cloth faced with purple silk with a hood of black silk lined with purple silk and of the shape of the full dress gown and hood for Doctors of Philosophy in the University of Melbourne; for informal dress, a black gown with full sleeves and the hood proper to the degree.

**Doctors of Philosophy:** for full dress, a gown of black cloth faced with cherry silk with a hood of cherry silk lined with cherry silk of the shape of the full dress gown and hood for Doctors of Philosophy in the University of Melbourne; for informal dress, a black gown with full sleeves and the hood proper to the degree.

**Doctor of Ministry Studies:** for full dress, a gown of black cloth faced with malachite green silk (BCC23) with a hood of black silk lined with malachite green silk of the shape of the full dress gown and hood for Doctors of Philosophy in the University of Melbourne; for informal dress, a black gown with full sleeves and the hood proper to the degree.

**Master of Theology:** gown and hood for the Master of Arts in the University of Melbourne, and black trencher with a black silk tassel, the hood being lined with dark pink silk.

**Master of Arts:** gown and hood for the Master of Arts in the University of Melbourne and black trencher with a black silk tassel, the hood being lined with steward blue silk.

**Master of Theological Studies:** gown and hood for the Master of Arts in the University of Melbourne and black trencher with a black silk tassel, the hood being lined with dark pink silk with a 2.5 cm border of white silk.

**Master of Divinity:** gown and hood for the Master of Arts in the University of Melbourne and black trencher with a black silk tassel, the hood being lined with purple silk.

**Bachelor of Theology:** the gown proper for the Bachelor Degree and a hood of black silk lined with light pink silk.

**Diplomates:** plain black undergraduate gown, without hood.

**Graduate Diplomates:** plain black undergraduate gown without hood, and black trencher with a black silk tassel.

All Doctors in full dress wear a black velvet bonnet.

## 1.6 – Meetings

- 1.6.1 The quorum for any meeting of a Board or committee of the College is half the members specified in the Board Regulation or committee Terms of Reference, and rounded up to the next whole number.
- 1.6.2 In determining whether or not a quorum is present, those present by virtue of their office, but who are not listed in the Board Regulation or committee Terms of Reference must not be counted.



# Melbourne College of Divinity

- 1.6.3 Where alternates are provided for and attend in place of the member for whom they are the alternate, they must be counted in determining whether a quorum is present.
- 1.6.4 If a matter is decided at a meeting by vote rather than consensus, all those present including those present by virtue of their office have a deliberate vote, but no casting vote. For a motion to be passed, the number of those present who vote for the motion must be greater than half the number present at the meeting.
- 1.6.5 Members who attend a meeting by electronic or other means that allows their participation in the proceedings must be counted in determining whether a quorum is present.
- 1.6.6 The President, Vice President, Dean and Registrar are not members of examination boards established by Regulation 2.5 by virtue of their office, nor do the provisions of this regulation apply to the proceedings of such examination boards.