

## Monash University Policy

<b>Policy Title</b>	Delegated Authorities Policy (Australia only)
<b>Date Effective</b>	21 December 2016
<b>Review Date</b>	21 December 2019
<b>Policy Owner</b>	Senior Vice President & CFO
<b>Category</b>	Operational
<b>Version Number</b>	2.0
<b>Content Enquiries</b>	<a href="mailto:finpol@monash.edu">finpol@monash.edu</a>
All Australian campuses	All Australian campuses All Australian staff <i>The South African and Malaysian campuses operate under corporate structures and are covered under separate delegation policies approved by the governing Boards. India will be governed by the policy of the joint venture entity.</i>
<b>Purpose</b>	This policy defines the delegation boundaries, including strategic-, structural, financial and contract-related authorities for staff, Resources and Finance Committee (R&F) and Council. It also highlights the reporting obligations of Management and R&F in seeking approvals or communicating up to the next level matters considered and/or decisions taken. A general guiding principle behind establishing delegated authorities and responsibilities is to recognise and limit the potential risks and exposures of contractual arrangements and the various financial transactions and proposals across the University.
<b>POLICY STATEMENT</b>	

Delegations and reporting responsibilities are assigned in accordance with the Delegations Matrix, the Financial Delegation limits and the Contract Signing Delegations (in the Related Documents section).

When signing contracts on behalf of the University, the delegated staff member must have a contract signing delegation as well as the appropriate Financial Delegation, or the appropriate written approval in accordance with the Approvals Matrix from Council, R&F, the Vice Chancellor, an approval committee chaired by the Vice Chancellor or the Procurement Board.

Contracts must be in a form previously certified by the University's General Counsel as an acceptable pro-forma, or have been reviewed and recommended for signature by the University Office of the General Counsel.

Artificial splitting of projects, transactions, or line items to bypass the financial limits is not permitted.

Matters of strategic importance, including significant new business directions or entry into new markets, are to be reported and approval must be given through R&F and Council. The total packaged value of these matters, irrespective of the dollar value of individual contracts, needs to be reported and approved.

Those with a delegated authority must exercise discretion in their obligation to refer any matters of significance or concern to the R&F, the Vice Chancellor, or to an approval committee chaired by the Vice Chancellor irrespective of the dollar value of the transaction or proposal. The same obligation exists for the R&F to advise Council on such matters and any other issues that it may identify.

Council has the responsibility to return any matter to R&F and/or management where there are questions, concerns or areas for reconsideration. The same obligation applies to R&F.

Recommendations to approve and other advice to Council under these delegations do not circumvent the governance responsibility of Council to consider the advice provided and to make independent decisions.

In the event that a significant matter is to be considered as commercial-in-confidence, Council may appoint an Oversight Committee. The Oversight Committee will be kept informed by management so that it can be satisfied that Council's responsibilities in relation to the commercial-in-confidence matter are fulfilled.

<b>Supporting Procedures</b>	<a href="#">Delegated Authorities - Oversight Committee Procedures</a>
<b>Responsibility for implementation</b>	Senior Vice President and CFO
<b>Status</b>	New
<b>Approval Body</b>	<b>Name:</b> Vice-Chancellor and Senior Vice President & CFO <b>Meeting date:</b> 21 <sup>st</sup> December 2016
<b>Endorsement Body</b>	<b>Name:</b> Council 8/16 <b>Date:</b> 7 December 2016
<b>Definitions</b>	<p><b>Definitions</b> (for this policy and related schedules)</p> <p><b>Artificial Splitting:</b> Deliberately splitting a transaction into parts to lower the level of financial approvals required for the intended transaction, e.g. a purchase of goods.</p> <p><b>Assessed Net Present Value:</b> Total cost in today's dollars over the life of the contract or project.</p> <p><b>Borrowing:</b> Loans and financing facilities (including finance leases) from financial institutions and other lending authorities (in accordance with Section 45 of the Monash University Act 2009).</p> <p><b>Controlled Entities:</b> Monash entities controlled by the University, as defined under the Corporations Act (2001) and Australian Accounting Standards.</p> <p><b>Delegated Authority:</b> Authority to sign and/or approve matters on behalf of Monash University.</p> <p><b>Letter of Financial Support:</b> A formal commitment from the University that it is Monash's intention to support the specific controlled entity to the extent which may be required to ensure it is able to pay its debts as and when they fall due. This letter is generally an audit requirement to support financial statements being prepared on a 'going concern' basis where an entity is financially dependent on the University, e.g. significant working capital loan funding is being provided.</p> <p><b>Oversight Committee:</b> Specific purpose Sub-Committee of Council created as and when required (Refer separate procedures)</p> <p><b>R&amp;F:</b> Resources and Finance Committee</p>
<b>Legislation Mandating Compliance</b>	<p><a href="#">Monash University Act 2009</a></p> <p>Particularly:</p> <ul style="list-style-type: none"> <li>• Section 18: In summary, Council may delegate to committees "powers or functions" (other than this power of delegation and the power to make Statutes and appoint specific officers).</li> <li>• Section 26 (7): Vice Chancellor's authority to delegate to staff or a committee.</li> <li>• Sections 35-38: Disposal and acquisition of land</li> <li>• Section 45: Borrowing powers</li> <li>• Section 46: Investments</li> </ul>
<b>Related Policies</b>	<p><a href="#">Research Data Management Policy</a></p> <p><a href="#">Procurement Policy</a></p> <p><a href="#">Treasury Management Policy</a></p> <p><a href="#">Borrowings Policy</a></p>
<b>Related Documents</b>	<p><a href="#">Financial Delegations and Contract Signing Rights</a></p> <p><a href="#">University Framework for Legal Structures</a></p>

