
EXPLANATORY STATEMENT
COURSEWORK AWARDS RULE 2024

1. Making of this instrument

- 1.1 This instrument was made by the Acting Vice-Chancellor of The Australian National University (the *rule-maker*).

2. Legal authority for this instrument

- 2.1 This instrument was made by the rule-maker under the *Australian National University (Governance) Statute 2024* (the **Governance Statute**), section 68 (General power to make rules and orders).
- 2.2 This instrument may rely on subsection 33(3) of the *Acts Interpretation Act 1901*. Under subsection 33(3), where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations and by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

3. Commencement

- 3.1 This instrument provides that it commences on 1 January 2025.

4. Compliance cost assessment

- 4.1 The cost of achieving/maintaining compliance with the instrument will be minor. There will be minimum impact for both implementation and ongoing compliance costs due to a robust support framework in place, which includes policies and procedures.

5. About this instrument

- 5.1 This explanatory statement has been approved by the rule-maker.
- 5.2 This instrument is a legislative instrument for the purposes of the *Legislation Act 2003*.
- 5.3 The main purpose of making this instrument is to make provision about the following matters:
- the requirements and process for admission to coursework award programs offered by the University;
 - the content of coursework award programs;
 - the review of decisions not to offer to admit a person to a coursework award program.

- 5.4 There are no documents incorporated by reference.

6. Consultation

- 6.1 As a self-governing institution of higher learning, the University has well-developed internal consultation protocols that are followed in developing and making University legislation,

including University legislation made by the Vice-Chancellor (or Acting Vice-Chancellor) of the University. The University Legal Office and the Corporate Governance and Risk Office, as key managers of the University's governance frameworks, were consulted and provided advice to the Acting Vice-Chancellor in her consideration of this instrument.

- 6.2 Drafts of the instrument were considered by the University's academic governance committees, including the Academic Quality Assurance Committee (AQAC). AQAC is a sub-committee of the University's Academic Board, responsible for providing assurance to the Board on the quality of the educational programs and activities of the University and with a membership that includes education specialists from every College and related service division in the University. AQAC endorsed the instrument for consideration by the Academic Board. The Academic Board in turn considered the instrument at its meeting in November 2024 and recommended it for making by the Vice-Chancellor. The Academic Board was established by the Council to ensure the University maintains the highest standards in teaching, scholarship and research, and includes a membership of around 50 people representing all the major academic decision-makers across the University, as well as a large cohort of elected academic and professional staff members and students.
- 6.3 The University's Acting Vice-Chancellor is the rule-maker and was provided with details of the internal University consultation processes undertaken for the instrument before making the instrument. The Vice-Chancellor is required under the University's Governance Statute (see section 70) to arrange for a copy of the instrument to be tabled at the next (or next practicable) University Council meeting after making the instrument. The Council of the University is established by the *Australian National University Act 1991* and is the governing authority of the University. The Council includes members appointed by the Minister for Education as well as members from all the major stakeholder groups at the University, including academic and professional staff and the student body. The Vice-Chancellor is required under the Governance Statute (see section 56(d)) to act in accordance with Council decisions.

7. About The Australian National University

- 7.1 The Australian National University is continued in existence by the *Australian National University Act 1991* (the **ANU Act**) (see section 4(1)).
- 7.2 Under the ANU Act, the University is, and has the functions of, an independent, self-governing institution of higher learning that conducts research and teaching at undergraduate and graduate levels (see especially section 5(1)).
- 7.3 The Act gives the University responsibilities as Australia's national university (see section 5(1)(b) and (2)).
- 7.4 The Council of the University is the governing authority of the University (see section 8) and functions independently of the Commonwealth executive.
- 7.5 Subject to the ANU Act and statutes made by the Council under the Act, the Council has the entire control and management of the University (see section 9(1)). Subject to the Act, the Council decides how the University is organised (see section 7).
- 7.6 The Act does not contemplate that the Commonwealth executive may direct the University, the Council or Council members in relation to the exercise of functions or powers under the Act but requires the Council to act in all matters concerning the University in the way it thinks will best promote the interests of the University (see section 9(2)).
- 7.7 The ANU Act gives the Council power to make statutes and, by statute, to authorise the making of rules or orders (see sections 50 and 51). The Council is only permitted to authorise the making of rules and orders by authorities and officers of the University (see section 50(3)).
- 7.8 University statutes, rules and orders are legislative instruments and must be tabled in both Houses of the Parliament.
- 7.9 University statutes, rules and orders do not have general application, but focus on matters of particular concern to the University. These include its management, organisation and

good governance, its staff and students, its degrees and other awards, and most importantly its values (especially academic freedom and integrity).

- 7.10 Under the *Higher Education Support Act 2003*, the Parliament has recognised 'that universities are established under laws of the Commonwealth, the States and the Territories that empower them to achieve their objectives as autonomous institutions through governing bodies that are responsible for both the university's overall performance and its ongoing independence' (see section 2-1(b)).

8. Exemption from sunseting

- 8.1 This instrument is exempt from sunseting under the *Legislation (Exemptions and Other Matters) Regulation 2015*, section 12, table, item 9.
- 8.2 However, this instrument includes an expiry provision (see section 66) that provides for its expiry 10 years after the day it commences. This provision achieves the same effect as sunseting under the *Legislation Act 2003*.

9. Exemption from disallowance

- 9.1 This instrument is exempt from disallowance under the *Legislation (Exemptions and Other Matters) Regulation 2015*, section 10, table, item 6, in consequence of the University being an independent, self-governing institution of higher learning.
- 9.2 The University's Council is responsible for both the University's overall performance and its ongoing independence.
- 9.3 The University, its Council and the members of its Council are not subject to direction by the Commonwealth executive in relation to the exercise of the University's power to make statutes, rules, and orders under the ANU Act.
- 9.4 The foundational values of academic freedom and integrity would be put at risk if the University's statutes, rules, and orders were not exempt from disallowance. The independence of the University would be unduly affected if its legislation, and indeed separate provisions of its legislation, were open to disallowance by either House of the Parliament.
- 9.5 The University recognises the important role of the Senate Standing Committee for the Scrutiny of Delegated Legislation and strives to ensure that the Committee's requirements in relation to the technical scrutiny of delegated legislation are met for University statutes, rules, and orders.

10. Further details of this instrument

- 10.1 Further details of this instrument are set out in **Attachment A**.
- 10.2 The University follows the practice of remaking its legislation with changes rather than making amendments. Significant changes made in this instrument are mentioned in **Attachment A**. This practice assists in ensuring that the provisions of University statutes, rules and orders are reviewed on a regular basis and kept up to date.

11. Statement of Compatibility

- 11.1. A Statement of Compatibility with Human Rights is at **Attachment B**.

PROVISION-BY PROVISION EXPLANATION

COURSEWORK AWARDS RULE 2024

Part 1 – Preliminary

Some of the provisions of this Part are specific to this instrument e.g. the name of the instrument provided by section 1. Changes to the provisions of this Part that are not specific to this instrument are mentioned below.

Division 1.1 – General**1. Section 1 – Name**

1.1. This section provides that the name of the instrument is the *Coursework Awards Rule 2024*.

2. Section 2 – Commencement

2.1. This section provides for the instrument to commence on 1 January 2025.

3. Section 3 – Authority

3.1. This section provides that the instrument is made under the *Australian National University (Governance) Statute 2024, section 68 (General power to make rules and statutes)*.

3.2. This instrument makes only minor stylistic and updating changes to this section.

4. Section 4 – Definitions

4.1. The purpose of this section is to provide definitions for the instrument, including definitions for the following terms: **admission decision**, **course**, **coursework**, **credit** (see section 9), and **double degree**.

4.2. The section includes a note drawing attention to definitions in the Legislation Statute that are relevant to this instrument and University legislation generally, including definitions of the following terms: **breach**, **University legislation**, and **working day**.

4.3. The instrument only makes minor changes to the definitions of a consequential or drafting nature e.g. updating cross-references.

5. Section 5 – Application of instrument to programs

5.1. This section specifies the coursework award programs to which this instrument applies, that is:

- all programs that were commenced, but had not ended, before the commencement of this instrument; and
- all coursework programs that commenced after the commencement of this instrument.

5.2. The section has not been changed in this instrument.

6. Section 6 – Joint, double or dual programs with other institutions etc.

6.1. This section allows for agreements between the University and other universities or institutions in relation to joint, double or dual programs offered by them or the joint, double or dual conferral of degrees and other awards by them.

6.2. Agreements can relate to students generally or a particular student.

- 6.3. A provision of this instrument has no effect to the extent to which it is inconsistent with a provision of this instrument.
- 6.4. The section has not been changed in this instrument.

Division 1.2 – Important concepts

This Division explains important concepts for the instrument, especially the University awards that are **coursework awards** and the meaning of **credit** towards completion of coursework awards.

Any substantive changes to the provisions of this Division 1.2 are mentioned below.

7. Section 7 – Coursework awards

- 7.1. This section defines a **coursework award** as ‘a coursework degree, Diploma, Graduate Diploma or Graduate Certificate that may be conferred by the University’. The section includes a note pointing out that the relevant coursework degrees, diplomas and certificates that may be conferred by the University are published on the University’s website.
- 7.2. From a legal point of view, notes included in this instrument do not form part of the instrument (see Legislation Statute, section 12 (Notes in or to University Legislation)). The notes have been included in this instrument for informational purposes only to assist the reader. The notes do not create rights, impose liabilities, affect the meaning of provisions of this instrument or other University legislation, or otherwise change the law.
- 7.3. The section further defines a **coursework degree** as the following degrees:
 - Associate;
 - Bachelor;
 - Bachelor Honours;
 - Master (other than Master of Philosophy);
 - Juris Doctor;
 - Medicinae ac Chirurgiae Doctoranda.
- 7.4. The section also includes a note informing the reader that a different University rule (the Research Awards Rule) applies to programs for the following degrees: Doctor of Philosophy, Doctor of Philosophy (Clinical Psychology), Doctor of Juridical Science, Doctor of Psychology (Clinical) and Master of Philosophy.
- 7.5. The section has not been changed in this instrument.

8. Section 8 – Programs for coursework awards generally

- 8.1. This section provides that to qualify for a coursework award students must undertake the program for the award in accordance with this instrument and any requirements applying to the program that are determined by the University. The section includes a note advising that program requirements determined by the University are published on the University’s website.
- 8.2. The section allows for the program:
 - to consist of coursework or coursework and theses components; and
 - to be undertaken full-time or part-time.
- 8.3. To remove any doubt, the section makes it clear that a reference to a **program for a coursework award** includes a reference to a program for a double degree. (**Double degree** is defined in section 4 (Definitions)).

8.4. The note included in the section replaces a broadly expressed, substantive publication requirement. The section has not otherwise been changed in this instrument. Similar changes have been made elsewhere in the instrument.

9. Section 9 – What is credit

9.1. This section defines the term **credit** as recognition, towards completion of a program for a coursework award, of:

- relevant university or tertiary education institution courses or studies; or
- clinical or professional experience.

The section provides that **credit** includes advanced standing and recognition of prior learning.

9.2. This section has not been changed in this instrument.

9.3. Division 3.1 makes provision in relation to the granting of credit.

Part 2 – Program admissions, enrolments and transfers

Division 2.1 – Admission requirements and limitations: coursework awards

Division 2.1 includes provisions about admission requirements and limitations for coursework award programs offered by the University.

Any substantive changes to the provisions of Division 2.1 are mentioned below.

10. Section 10 – Minimum qualification, English language, and other admission requirements

10.1. This section authorises the University's Academic Board to determine minimum qualification, English language and other requirements for admission to a program for a coursework award. English language and other admission requirements (including higher qualification requirements) are currently determined by the relevant Deputy Vice-Chancellor of the University. This change better reflects the delegation by Council of the power to make academic policy to Academic Board in 2021, including policy that governs minimum academic requirements.

10.2. The section includes a note advising the reader that minimum qualification, English language, and other requirements for admission are published on the University's website.

11. Section 11 – Limits on places in programs

11.1. This section authorises the Vice-Chancellor to determine the maximum number of students that may be admitted in any period to a program for a coursework award offered at the University.

11.2. The section has not been changed in this instrument.

Division 2.2 – Admission process: coursework awards

This Division includes provisions about the University's admission process for coursework award programs.

Any substantive changes to the provisions of Division 2.2 are mentioned below.

12. Section 12 – Application for admission

12.1. This section provides that a person may apply to the Registrar to be admitted to a program for a coursework award.

12.2. The section includes a note to remind the reader that, if a form is approved under the Legislation Statute for the application, the form must be used. It also includes a note

emphasising that giving false or misleading information, or producing a false or misleading document, in relation to an application may be a criminal offence.

12.3. The section has not been changed in this instrument.

13. Section 13 – Decision on application for admission

13.1. This section applies if a person makes an application under section 12 for admission to a coursework award program (see subsection (1)).

13.2. The section requires the Delegated Authority for the program (defined in section 4) to decide the application (see subsection (2)). (Delegated Authorities are appointed under section 59 of the instrument in relation to coursework award programs offered by ANU Colleges or under section 60 of the instrument in relation to double degree programs.)

13.3. The section authorises the Delegated Authority to require the applicant, by written notice given to the applicant, to provide any information or document that the Delegated Authority reasonably needs to decide the application (see subsection (3)). The Delegated Authority need not to consider the application until the applicant complies with the requirement (see subsection (4)).

13.4. In deciding the application, the section (see subsection (5)) requires the Delegated Authority:

- to have regard to the vision, values and strategies for change set by the University's Council for the University; and
- to comply with University legislation and the University policies and procedures.

The section includes a revised note advising the reader that the vision, values and strategies for change set by the Council are in the University's Corporate Plan. (Similar notes elsewhere in the instrument have also been updated.)

13.5. After the Delegated Authority decides the application, the section (see subsection (6)) requires the Registrar to tell the applicant whether the applicant has been offered admission to the program and, if the applicant has been offered admission, about any conditions imposed by the Delegated Authority on the applicant's admission or enrolment. A note has been added to the section advising the reader that a decision not to offer to admit the applicant is reviewable under Part 7 of the instrument.

13.6. If the applicant is offered admission to the program, the section (see subsection (7)) requires the offer of admission to state the session in relation to which the offer is effective and include, or be accompanied by, instructions on how to accept or decline the offer or, if available, defer enrolment to a later session. The offer of admission may also include additional information decided by the Registrar.

13.7. If the Delegated Authority imposed conditions on the applicant's admission (see section 14(6)), the section provides that an offer of admission must not be made to the applicant until the conditions have been met (see subsection (8)).

13.8. To remove any doubt the section emphasises that an offer of admission does not make the applicant a student of the University or a student in the program (see subsection (9)).

13.9. This section has not been changed substantively in this instrument. The only changes made to this section are of a consequential, updating or minor drafting nature.

14. Section 14 – Making admission decision

14.1. This section provides additional provisions about how an admission decision under section 13 must be made, including about the application of any determination of the Academic Board under section 10 (Minimum qualification, English language, and other admission requirements) and any determination of the Vice-Chancellor under section 11 (Limits on places in programs). The term **admission requirements** is defined in the section (see subsection (1)) as the minimum qualification, English language, and other requirements (if any) determined under section 10.

- 14.2. This section authorises the Delegated Authority to offer to admit an applicant to a coursework awards program if the Delegated Authority is satisfied that the applicant meets the admission requirements (see subsection (2)).
- 14.3. However, if the application is for admission to a program for a degree of Bachelor Honours, the Delegated Authority may refuse to offer to admit the applicant to the program if the Delegated Authority is not satisfied that suitable supervision will be available for the program. The Delegated Authority may refuse to offer to admit the applicant to the program even though the applicant meets the admission requirements (see subsection (3)).
- 14.4. The section requires the Delegated Authority to refuse to offer to admit the applicant to the program if the admission of the applicant to the program would result in the number of students being admitted to the program in any period exceeding the maximum number of students determined by the Vice-Chancellor under section 11 for the program for the period (see subsection (4)). It is intended that the Delegated Authority must refuse to offer to admit the applicant to the program even though the applicant meets the admission requirements.
- 14.5. The section authorises the Delegated Authority to offer to admit the applicant to the program even though the Delegated Authority is not satisfied that the applicant meets the admission requirements if the Deputy Vice-Chancellor and Pro Vice-Chancellor approve the applicant's admission to the program (see subsection (5)).
- 14.6. The section (see subsection(6)) authorises the Delegated Authority to impose conditions on the applicant's admission if:
- the applicant is offered admission to the program under subsection (5) of the section (on the approval of the Deputy Vice-Chancellor and Pro Vice-Chancellor); or
 - the applicant's application states that the applicant intends to continue to undertake other studies if the applicant is admitted to the program.
- 14.7. Despite anything else in the section, the section authorises the Delegated Authority to refuse to offer to admit an applicant to the program for any reasons the Delegated Authority considers appropriate (see subsection (7)). In deciding whether to exercise this power, the section requires the Delegated Authority (see subsection (8)):
- to have regard to the vision, values and strategies for change set by the University's Council for the University; and
 - to comply with University legislation and University policies and procedures.
- 14.8. To remove any doubt the section provides that admission to programs for coursework awards is through competitive processes for which places may be limited and in which applicants may be assessed and ranked according to admission criteria set by the University. The section also provides that the University has the final discretion on admitting applicants (see subsection (9)).
- 14.9. The section further provides (see subsection (10)) that it is subject to section 15 (False or misleading statements in applications for admission etc.). This section is explained below.
- 14.10. This section has not been changed substantively in this instrument. The only changes made to this section are of a consequential, updating or minor drafting nature.

15. Section 15 – False or misleading statements in applications for admission etc

- 15.1. This section applies (see subsection (1)) if the Delegated Authority suspects, on reasonable grounds, that an applicant for admission to a program for a coursework award has in, or in connection with, the applicant's application:
- made a statement, or provided information, that was false or misleading in a material particular; or
 - provided a document that was false or misleading in a material particular.

- 15.2. If the section applies, the section (see subsection (2)) requires the Delegated Authority:
- to immediately report the Delegated Authority's suspicion (the **reported matter**), and the reasons for it, under the Discipline Rule of the University; and
 - if the applicant has not been enrolled in the program—take the additional, appropriate action required by the section (see subsections (3), (4) and (6), which are explained below)).

Under the Discipline Rule a person who is or was seeking enrolment in a program or course offered by the University is a student for disciplinary purposes, whether or not the person is or was enrolled.

- 15.3. If the Delegated Authority has not finally decided the application, the section (see subsection (3)) requires the Delegated Authority to refuse to consider, or further consider, the application until the reported matter has been finally dealt with under the Discipline Rule.
- 15.4. If the Delegated Authority has refused to offer to admit the applicant to the program, the applicant has applied under the instrument for review of the Delegated Authority's decision by the Associate Dean (see Part 7 (Review of decisions)) and the Associate Dean has not finally dealt with the application for review, the section (see subsection (4)) requires the Delegated Authority to immediately tell the Associate Dean of the Delegated Authority's suspicion and reasons for it. The Associate Dean is required by the section (see subsection (5)) to refuse to deal, or further deal, with the application for review until the reported matter has been finally dealt with under the Discipline Rule.
- 15.5. If a decision has been made to offer to admit the applicant to the program but the applicant has not been enrolled in the program, the section (see subsection (6)) requires the Delegated Authority to tell the Registrar of the Delegated Authority's suspicion and the reasons for it. The Registrar is required by the section (see subsection (7)) not to enrol the applicant in the program until the reported matter has been finally dealt with under the Discipline Rule.
- 15.6. The section (see subsection (8)) provides that it is additional to, and does not limit:
- any power of the Delegated Authority, the Associate Dean or the Registrar otherwise than under the section; or
 - the Discipline Rule.
- 15.7. The section also includes an informational note about relevant provisions of the Discipline Rule.
- 15.8. This section has not been changed substantively in this instrument. The only changes made to this section are of a minor consequential or updating nature.

Division 2.3 – Enrolment: coursework awards

This Division includes provisions about enrolment and deferral of enrolment in coursework awards program.

Any substantive changes to the provisions of Division 2.3 are mentioned below.

16. Section 16 – Program commences on enrolment

- 16.1. This section has been revised to make it clear that, if a person is admitted to a coursework program, the program commences on the day the person is first enrolled in a course for the program.

17. Section 17 – Enrolment

- 17.1. This section (see subsection (1)) provides that an accepted offer of admission for a coursework award is only valid for the session specified in the offer unless the

applicant defers enrolment to a later session in accordance with the provisions about enrolment deferral in the Division.

- 17.2. The section (see subsection (2)) provides that all conditions (if any) imposed by the Delegated Authority on a person's enrolment must be met before the person can enrol.
- 17.3. The section includes specific time limits for enrolment in programs for a 1-year Bachelor Honours degree. A student is required to enrol in the program within 2 years after the student completes the requirements for the relevant pass degree, unless the Delegated Authority allows a longer period for enrolment (see subsection (3)).
- 17.4. However, if the person is offered enrolment to a second 1-year honours program for a Bachelor of Honours degree, the person must enrol in the program not later than the next semester after the person completes the requirements for the award of the first Bachelor Honours degree unless the Delegated Authority allows a longer period for enrolment (see subsection (4)).
- 17.5. The section (see subsection (5)) provides that it is subject to section 15 (False and misleading statements in applications for admission etc.).
- 17.6. This section has not been changed substantively in this instrument. The only changes made in this section are of a minor consequential nature.

18. Section 18 – Deferral of enrolment: programs other than 1-year honours program

- 18.1. This section makes provision about the deferral of enrolment for programs for undergraduate coursework awards (other than 1-year honours programs).
- 18.2. The section allows a person who, on enrolment, will be a domestic student to apply to the Delegated Authority, in accordance with the provisions of the section, to defer enrolment for up to 1 year. The Delegated Authority must defer the person's enrolment, and tell the person about the deferral, if the application complies with the provisions of the section.
- 18.3. This section has not been changed in this instrument.

19. Section 19 – Deferral of enrolment: 1 – year honours programs

- 19.1. This section makes provision about the deferral of 1-year honours programs.
- 19.2. A person admitted to a 1-year honours program may defer enrolment in the program only if the delegated Authority approves the deferral, on the written application of the person, in the special circumstances of the case.
- 19.3. This section has not been changed in this instrument.

Division 2.4 – Program transfers: coursework awards

This Division makes provision about transfers between coursework award programs.

The provisions of Division 2.4 have not been changed in this instrument.

20. Section 20 – Transfer between programs generally

- 20.1. This section makes provision about transfers between coursework award programs.
- 20.2. The section applies if:
 - a person is enrolled in a program for a coursework award (the **existing program**); and
 - the person wishes to transfer from that program for another coursework award (the **new program**); and
 - the existing and new programs are both undergraduate coursework programs or both graduate coursework programs.

- 20.3. The section provides for the person to apply to the Registrar for approval to transfer from the existing program to the new program. If a form has been approved for the application, the form must be used.
- 20.4. Under the section the Delegated Authority for the new program must:
- decide the application; and
 - tell the person in writing whether the transfer has been approved and, if approved, about any conditions imposed by the Delegated Authority on the transfer.
- 20.5. The section permits the Delegated Authority to approve the transfer only if satisfied that:
- the person meets the minimum qualification requirements for admission to the new program; or
 - the transfer is being made under the Academic Progress Rule.
- 20.6. The section sets out the consequences that apply if the Delegated Authority approves the transfer and the person accepts the transfer as approved.

Division 2.5 – Non-award studies

This Division makes provision about admission to programs offered by the University (*non-award programs*) that are not programs for coursework awards.

The provisions of Division 2.5 have not been changed in this instrument.

21. Section 21 – Non-award programs

- 21.1. This section allows a person to apply in writing to the Delegated Authority for admission to a non-award program.
- 21.2. The section requires the Delegated Authority:
- to decide the application; and
 - tell the person in writing whether the person has been admitted to the non-award program and, if admitted, about the period of the program approved by the Delegated Authority and any conditions imposed by the Delegated Authority on the person's admission to the program.
- 21.3. If the person is admitted to the non-award program and enrolls in the program, the section requires the person:
- to undertake the program under the direction of the Delegated Authority for the period approved by the Delegated Authority; and
 - to comply with any conditions imposed on the person's admission to the program.
- 21.4. The section provides that the section does not prevent a person admitted to a non-award program from subsequently applying for admission to a coursework award program.

Part 3 – Program requirements

Division 3.1 – Credit

This Division sets out provisions about the granting of credit towards completion of a program for a coursework award.

The provisions of Division 3.1 have not been changed substantively in this instrument. The only changes made to the Division in this instrument are of a minor consequential or drafting nature.

22. Section 22 – Granting credit

- 22.1. This section permits a person who applies to be admitted to, is offered admission to, or is enrolled in, a program for a coursework award to apply to the Delegated Authority for credit towards the completion of the program. (**Credit** is defined in section 9 (What is *credit*).)
- 22.2. The section requires the Delegated Authority to decide the application and tell the applicant whether the credit sought has been granted.
- 22.3. The section requires the Delegated Authority in granting credit to comply with section 23 of this instrument (Limits on granting credit), including any applicable limits determined under that section.
- 22.4. The section specifically authorises the Delegated Authority to grant credit, towards completion of Master of Clinical Psychology degree program, for supervised clinical experience undertaken in a public clinical service, if the Delegated Authority is satisfied that standard of the experience is equivalent to the experience that would be gained by undertaking a fieldwork placement as part of the program.

23. Section 23 – Limits on granting credit

- 23.1. This section:
 - gives the Associate Dean of an ANU College a general power to determine limits within which credit may be granted towards completion of a program offered by the college for a coursework award (see subsection (1)); and
 - also provides specific additional limits applying to the granting of credit towards completion of all programs for coursework awards (see subsections (3) to (8)).
- 23.2. The section (see subsection (3)) makes it clear that the general power of an Associate Dean to determine credit limits is not limited by the specific additional limits provided in the section, and that any limits determined under the section are additional to those specific limits.
- 23.3. The section includes provisions providing specific additional limits in relation to the following:
 - the period before the ‘start’ of the program within which the relevant studies or experience must have been completed (see subsections (3) and (4));
 - the part of the program that must be completed at the University (see subsection (5));
 - the part of the program’s requirements for a degree of Master (other than by research) for which credit may be granted (see subsection (6));
 - the length of full-time enrolment at the University required to qualify for a coursework award (see subsection (7));
 - double counting of particular studies towards completion of a program for a double degree (see subsection (8)).

Division 3.2 - Program content

This Division contains provisions about the required content of coursework award programs and the requirements for the completion of coursework award programs.

Changes made to the provisions of Division 3.2 are mentioned below.

24. Section 24 – Program content

- 24.1. This section requires a student admitted to a program for a coursework award to enrol in the courses, sequence of courses, and combinations of courses, that meet the learning outcomes, volume of learning, and graduate attributes, that the University determines for the program for the year in which the student is first enrolled in a course for the program. The section has been revised to mention learning outcomes, volume of learning and graduate attributes. Learning outcomes and volume of

learning are requirements of the Australian Qualification Framework. Graduate attributes are requirements under the University's new Undergraduate Curriculum Framework.

- 24.2. This section includes an updated note advising that details of the courses, sequences of courses, and combination of courses, and the program learning outcomes, volume of learning and graduate attributes, are published on the University's website.
- 24.3. The section authorises the Delegated Authority to determine particular specified matters related to the content of programs for coursework awards, including, for example, that a student may only take a stated number of courses for the program in any year.

25. Section 25 – Completion of program

- 25.1. The section outlines, in general terms, what a student must do to complete a program for a coursework award, including passing the courses, and completing any other requirements, required by the University to complete the program (see subsection (1)).
- 25.2. To remove any doubt, the section makes it clear that the general terms of subsection (1) are subject to any determination of the Delegated Authority under section 24(2) applying to the student for the program (see subsection (2)).
- 25.3. The section authorises the Delegated Authority, on the written application of a student and in special circumstances, to make specified modifications to the University's requirements applying to a student (see subsection (3)).
- 25.4. If a student applies for a modification, the Delegated Authority must decide the application and tell the student in writing about the decision made on the application (see subsection (4)).
- 25.5. The Delegated Authority's modification power under the section is subject to the exceptions provided by subsections (5) and (6) of the section.
- 25.6. The section includes provisions clarifying that a student may apply for the modification of the requirements related to only one of the degrees in a double degree and the modifications that may be made by the Delegated Authority on such an application.
- 25.7. The only changes made to this section in this instrument are of a consequential nature (see section 25(3)(a) and (7)(b)).

Division 3.3 – Undertaking the program

This Division makes provision about course enrolment and program leave of absence.

The only changes made to Division 3.3 in this instrument are of a minor clarifying nature (see section 26(1)(b)) or a minor correction of terminology (see section 27(6)).

26. Section 26 – Enrolment in courses at the University etc.

- 26.1. This section provides that a student enrolled in a program for a coursework award must, for the program, enrol in courses offered at the University or courses offered by another educational institution that are approved, in writing, for the student by the Delegated Authority on the student's written application. (see subsection (1)). The section has been amended to make it clear that an approval is for the particular student on whose application the approval is given.
- 26.2. The section requires that, if a student applies for approval to enrol in a course at another educational institution, the Delegated Authority must decide the application and tell the student in writing whether the course is approved (see subsection (2)).

- 26.3. The section (see subsection (3)) provides that the Delegated Authority must not approve a student's enrolment in a course offered by another educational institution unless satisfied:
- that the course is substantially comparable in quality to the equivalent course offered by the University for the program (or comparable programs); and
 - that the other institution has satisfactory facilities available to the student to complete the course.

27. Section 27 – Program leave of absence

- 27.1. This section permits a domestic student enrolled in a program for a coursework award to take leave of absence from the program for up to 2 years by not enrolling in any courses (see subsection(1)). (**Domestic student** is defined in section 4 (Definitions)). The Delegated Authority may, on the student's application, grant the student a longer period of leave of absence from the program (see subsection (5)). There is no limit on the maximum period of the leave of absence that may be granted.
- 27.2. However, the section provides that a student enrolled in a program for a medical degree may take leave of absence from the program only with the written permission of the Director of Medicine and Health Science granted on the written application of the student (see subsection (2)). (**Medical degree** is defined in subsection (9)). A permission may be granted for an initial period of up to 1 year (see subsection (3)), but may, on the student's application be granted for an additional period of, or additional periods totalling, up to 2 years (see subsection (4)).
- 27.3. The section authorises the Delegated Authority to grant leave of absence to an overseas student on the student's application(see subsection (6)). (For the definition of **overseas student**, see section 4 (Definitions)). The section does not set any limit on the maximum period of the leave of absence that may be granted. (The section was revised in this instrument to change the term 'international student' to the term 'overseas student' for consistency with relevant Commonwealth legislation.)
- 27.4. The section specifies (see subsections (7) and (8)) that (except for a program that is taught in semesters) any period of leave of absence may not be for less than half a year, comprising first half year (Semester 1, Summer Session, and Autumn session) or second half year (Semester 2, Winter Session and Spring Session).

Division 3.4 – Other program requirements

This Division 3.4 makes provision about the language of instruction to be used in coursework award programs and the undertaking of other studies by students enrolled in coursework award programs.

The only changes made to Division 3.4 in this instrument are of a minor consequential or drafting nature.

28. Section 28 – Language of instruction

- 28.1. This section requires all coursework award programs to be undertaken in English, unless the Academic Board determines otherwise in writing.

29. Section 29 – Other studies

- 29.1. This section prohibits a student enrolled in a coursework award program from undertaking, or continuing to undertake, any other studies at the University or another educational institution while enrolled in a coursework award program unless the Delegated Authority has granted written approval for the student to do so (see subsections (1) and (3)).

- 29.2. However, the section (see subsection (2)) allows a student to continue to undertake other studies if:
- the student's application for admission stated that the student intended to undertake the other studies if admitted to the program; and
 - the student complies with any conditions imposed on the student's admission.
- 29.3. To remove any doubt, the section states that it applies to the undertaking of other studies during a period whether or not the student is enrolled during the period in courses at the University or another institution for the student's coursework program (see subsection (4)).

Division 3.5 – Ending of program

Division 3.5 contains provisions about the ending of coursework award programs.

The provisions of this Division have not been changed in this instrument.

30. Section 30 – Withdrawal from program

- 30.1. This section allows a student to withdraw from a coursework awards program by written notice given to the Delegated Authority (see subsection (1)). The student ceases to be enrolled in the program on the day the notice is given to the Delegated Authority or, if the notice states a later day of effect, on that date (see subsection (2)).
- 30.2. To remove any doubt, the section provides that, if a person withdraws from a coursework award program under the section, the person may enrol in the program again only if the person subsequently re-applies to be admitted to the program and is admitted to the program on that re-application (see subsection (3)).

31. Section 31 – Maximum period to complete program

- 31.1. This section specifies the maximum period for a student to complete a coursework awards program. For a program other than a 1-year honours program, the maximum period varies depending on the total unit value of the courses required for the program (see subsection (1)). For a 1-year honours program, the maximum period depends on whether the program is undertaken by full-time or part-time study (or a combination of full-time and part-time study) (see subsection (2)).
- 31.2. The section permits the Delegated Authority, on the written application of a student enrolled in coursework award program, to extend the maximum period for the student to complete the program (see subsections (3) and (4)).
- 31.3. The section authorises the Delegated Authority to reduce the maximum period for completion if the Delegated Authority grants the student credit towards completion of the program (see subsection (5)).
- 31.4. To remove any doubt, the section provides that the grant of leave of absence to a student under section 27 (Program leave of absence) does not, of itself, extend the maximum period for the student to complete the student's program (see subsection (6)). Any extension of the maximum period must be granted by the Delegated Authority on application under this section.
- 31.5. The section provides that a student's coursework award program ends by force of subsection (7) at the end of the maximum period for the student to complete the program, and the student automatically cease to be enrolled in the program, if the student has not:
- completed the requirements of the program (other than any thesis requirement); and
 - submitted for examination any thesis required for the program.
- 31.6. The section requires the Delegated Authority to tell the student in writing if the program ends under subsection (7) (see subsection (8)).

32. Section 32 – Honours year: cancellation etc.

- 32.1. The section authorises the Delegated Authority to cancel the enrolment of an honours student if the Delegated Authority is satisfied that the student is not making satisfactory progress in the program (see subsection (1)). If the Delegated Authority cancels a student's enrolment in an honours program, the student may be awarded an appropriate pass degree if the eligible to be awarded the degree (see subsection (2)).
- 32.2. The section provides that a student may attempt an honours year only once unless the Delegated Authority, on the student's application, permits the student to attempt the year again (see subsections (3) and (4)).

Part 4 – Supervision

33. Section 33 – Purpose of Part 4

- 33.1. This Part outlines the supervision arrangements for a student enrolled in a program for coursework award that has a thesis component.
- 33.2. This instrument only makes minor changes of a drafting or consistency nature to the provisions of Part 4.

34. Section 34 – Supervisors

- 34.1 This section requires the student to have at least 1 supervisor for the thesis.
- 34.2 The supervisor is appointed by the Delegated Authority.

35. Section 35 – Appointment of supervisors

- 35.1 This section requires the Delegated Authority to appoint the student's supervisor or supervisors before the commencement of the semester in which the thesis is to be undertaken (see subsection (1)).
- 35.2 The section (see subsection (2)) requires the supervisor (or at least 1 of the supervisors) to be:
- a full-time academic staff member of the University; or
 - a part-time academic staff member of the University employed by the University on at least a 50% basis; or
 - a person approved by the Delegated Authority who holds academic status, or honorary academic status, in the University.
- 35.3 The section provides that, in appointing supervisors, the Delegated Authority, must, as far as practicable, ensure continuity in the supervision of the student's thesis (see subsection (3)).

36. Section 36 – Responsibilities of supervisors

- 36.1 This section outlines the responsibilities of supervisors in supervising a student's thesis.

37. Section 37 – Temporary supervisory arrangements

- 37.1 This section applies if a student has a single supervisor and the supervisor is (or is expected to be) absent from the University, or unable to supervise the student, for longer than 4 consecutive weeks.
- 37.2 The section requires the Delegated Authority to appoint an appropriately qualified person to supervise the student while the supervisor is absent or unable to supervise the student.

Part 5 – Assessment

Division 5.1 – Assessment methods

38. Section 38 – Purpose of Division 5.1

- 38.1. This section explains that Division 5.1 sets out how a student undertaking a program for a coursework award must be assessed for the program.
- 38.2. This instrument only makes a minor consistency change to the provisions of the Division.

39. Section 39 – Assessment of thesis

- 39.1. This section requires any thesis required for the program to be assessed in accordance with this instrument.

40. Section 40 – Application of Assessment Rule

- 40.1 This section requires coursework undertaken by the student during the program to be assessed in accordance with the Assessment Rule of the University unless the Delegated Authority determines otherwise (see subsection (1)).
- 40.2 However, if the Associate Dean declares a coursework award program to be a program to which section 40(2) applies, the section authorises the Delegated Authority to determine that coursework for the program be assessed by an assessment of an exhibition, a performance or a folio of work (see subsection (2)).

41. Section 41- Assessments must be in English

- 41.1. This section requires an assessment to be conducted in English except so far as the Deputy Vice-Chancellor otherwise determines on the Delegated Authority's recommendation.

Division 5.2 – Thesis

42. Section 42 – Purpose of Division 5.2

- 42.1. This explains that Division 5.2 sets out provisions applying to the thesis of a student enrolled in a program for a coursework award that has a thesis component.
- 42.2. This instrument only makes a minor drafting change to the provisions of the Division.

43. Section 43 – Requirements for examination of thesis

- 43.1. This section authorises the Associate Dean to determine requirements for the examination of the thesis.

44. Section 44 – General thesis requirements

- 44.1 This section sets out the general requirements for the thesis, including that it must be an original written work of at least 24 units duration (see subsections (1) and (2)).
- 44.2 The section requires the student to clearly mark in the thesis material that has been previously submitted for the purpose of gaining a degree or award from any university or other tertiary educational institution (see subsection (3)). However, if the material has previously submitted for the same award at the University, the Delegated Authority may approve the inclusion of a specified statement instead of the marking (see subsection (4)).
- 44.3 The section specifies that the thesis must not be accepted for examination unless, in the Delegated Authority's opinion, it consists largely of material that has not already been submitted by the student for the purpose of obtaining a degree or other award from any university or other tertiary educational institution (see subsection (5)).

- 44.4 The section requires the thesis to be written in English except so far as the Deputy Vice-Chancellor otherwise determines on the Delegated Authority's recommendation (see subsection (6)).
- 45. Section 45 – Submission of thesis**
- 45.1 This section requires the student to submit the thesis in the form approved by the Delegated Authority.
- 45.2 If the thesis has been published, the section allows the published form of the thesis to be submitted with the Delegated Authority's approval.
- 46. Section 46 – Appointment of thesis examiners**
- 46.1 This section requires the Delegated Authority to appoint 1 or more examiners of the student's thesis and allows the Delegated Authority to appoint an additional examiner, or additional examiners, at any time (see subsections (1) and (2)).
- 46.2 The section prohibits anyone who has been a supervisor of the thesis, or has provided advice on its drafting or production, from being appointed as an examiner of the thesis (see subsection (3)).
- 47. Section 47 – Re-examination by resubmission of thesis**
- 47.1 If the student fails the examination of the thesis, this section allows the Delegated Authority to require the student to be re-examined by resubmission of the thesis.
- 47.2 If the student is re-examined by resubmission of the thesis, the grade that may be awarded is pass at supplementary examination or fail.
- 48. Section 48 – Student must provide thesis for deposit in University Library**
- 48.1 If the student is granted approval for an award, this section requires the student to provide 1 digital copy of the thesis (as finally corrected, revised and reviewed) to the Registrar for deposit in the University Library.
- 48.2 The section provides that the provision of the copy of the thesis by the student authorises the University:
- to make the thesis available in the University Library in any format; and
 - with the student's permission, to make the thesis otherwise available in any format.
- 48.3 However, the authority provided by the section to make the thesis available in the University Library is subject to any written direction of the Deputy Vice-Chancellor, made on the student's request, that prohibits the University Library from disclosing the thesis, or a specified part of it, to anyone for a specified period.

Part 6—Grades, eligibility for awards and classifications

- 49. Section 49 - Course grades**
- 49.1 This section provides that the grades available to a student for the student's performance in a course in a coursework award program are as follows: high distinction, distinction, credit, higher level pass, pass, pass at supplementary examination, course requirements satisfied, or fail.
- 49.2 This section has not been changed in this instrument.
- 50. Section 50- Eligibility for awards**
- 50.1 This section provides that a student may be granted a coursework award if the student completes the requirements of the program under this instrument (see subsection (1)).

- 50.2 The section allows a student who is enrolled in a program for a double degree to be granted one of the coursework awards for which the student may qualify if the student would have satisfied all of the requirements for the grant of that award and the program had been a program only for that award (see subsection (2)). If a student enrolled in a program for a double degree is granted one of the awards under the section, the student may continue studying towards the other award (see subsection (3)).
- 50.3 The section provides that the University may determine that a degree of Bachelor Honours may be granted only to students that achieve the standard required for a First Class Honours classification (see subsection (4)).
- 50.4 The section also provides that, if a student enrolled in a program for a degree of Bachelor Honours does not satisfy all the requirements to be granted the degree, the student may be granted another relevant degree of Bachelor Honours or relevant pass degree as decided, in writing, by the Delegated Authority(see subsection (5)).
- 50.5 The section authorises the Vice-Chancellor to grant, on the Delegated Authority's recommendation, a coursework award to a former student posthumously even if the student has not completed all of the requirements of the program for the award (see subsection (6)).
- 50.6 The section has been revised to make it clear that a determination under subsection (4) applies generally to students undertaking a coursework awards program (or programs) and is not made on a student-by-student basis. The section has not otherwise been changed in this instrument.

51. Section 51 – Classification of awards

- 51.1 This section sets out the classification gradings available for coursework awards.
- 51.2 This section has not been changed in this instrument.

Part 7—Review of decisions

This Part makes provision for the review of decisions made under this instrument.

The changes made in this instrument to the provisions of this Part are generally of a minor clarifying drafting or consequential nature. However, provisions have also been included to made it clear that provisions of the Part about the finality of review decisions do not affect rights of appeal to, or review by, courts or tribunals outside the University. Any substantive changes to the provisions of Part are mentioned below.

52. Section 52 - What decisions are *reviewable decisions*?

- 52.1 This section specifies the decisions that are reviewable decisions, that is, the decisions made under the instrument that are reviewable under Part 7. Decisions made under other University rules are reviewable under those rules or other University rules.
- 52.2 The section defines a ***reviewable decision*** as an admission decision or a reviewable non-admission decision (see subsection (1)).
- 52.3 The section in turn defines an ***admission decision***. Under the section an admission decision is a decision made by the Delegated Authority under the instrument not to offer to admit a person to a program for a coursework award (see subsection (2)). To assist the reader, the definition has been changed in this instrument to make it clear that admission decisions are made by the relevant Delegated Authority. (Other reviewable decisions made by a Delegated Authority or an Associate Dean are reviewable non-admission decisions).

- 52.4 The section also defines a **reviewable non-admission decision**. Under the section (see subsection (3)) a reviewable non-admission decision is a decision under this instrument affecting a student made by an Associate Dean or Delegated Authority, other than an admission decision or any of the following decisions:
- a decision made by an Associate Dean under section 23(1) or (4) (Limits on granting credit) about determining limits within which credit may be granted;
 - a decision made by an Associate Dean under section 40(2) (Application of Assessment Rule) about declaring a program to be a program to which the subsection applies;
 - a decision made under section 47(2) (Re-examination by resubmission of thesis) about awarding a particular grade to a student;
 - a decision made under section 49 (Course grades) grading the performance of a student in a course;
 - a decision made under section 51 (Classification of awards) about grading a coursework award with a classification;
 - a decision made by an Associate Dean under section 56 (Review by Associate Dean).
- 52.5. Decisions under section 23(1) or (4), or under section 40(2), are of a general nature and apply equally to all students undertaking a coursework award program to which the relevant decision (a determination) applies. It would be inappropriate to enable them to be altered on a review to benefit only a particular student. 52.6. The University's Assessment Rule provides for the review of, and for appeals against, final coursework results (see section 12 (Review of decisions)), including for decisions under sections 47(2) and 49 of this instrument.
- 52.6. Classification of coursework awards under section 51 is determined by the aggregate of individual course results/weighted average mark, which can only be changed by amending individual course grades. Individual course grades are subject to review and appeal under the Assessment Rule.
- 52.7. Decisions under section 56 are decisions of an Associate Dean that have already been reviewed under Part 7 by the relevant Associate Dean.
- 53. Section 53 – Who is a person affected by a reviewable decision?**
- 53.1. The section defines the person **affected** by a reviewable decision. The person **affected** by a reviewable decision is:
- for an admission decision—the applicant for admission; and
 - for any other decision—the student affected by the decision.
- 53.2. Only a person affected by a reviewable decision may apply for review of the decision under Part 7.
- 54. Section 54 - Person affected by reviewable decision to be told about review etc.**
- 54.1 This section applies if an Associate Dean or Delegated Authority (the **decision-maker**) makes a reviewable decision.
- 54.2 The section requires the decision-maker, within 7 working days of making the decision:
- to tell the person affected by the decision in writing about the decision; and
 - to tell the person that they may apply for review of the decision under the Part; and
 - to give the person a statement of reasons for the decision.
- 54.3 The requirements of the section do not apply to the decision if, within the 7-day period, the requirements are complied with under another provision of this instrument.
- 55. Section 55 - Application for review of reviewable decision**
- 55.1 This section prescribes how a person affected by a reviewable decision must apply for review of the decision.

- 55.2 The section (see subsection (2)) requires the application for review:
- to be in writing; and
 - to set out the person's reasons for making the application; and
 - to include, or be accompanied by, any evidence in support of the application; and
 - to be given to the **relevant person** within the **required period** (as both defined in subsection (4)).
- 55.3 The section allows a person applying for review of a reviewable decision to remain enrolled in the relevant coursework awards program until the review has been decided (see subsection (3)).
- 55.4 The section defines the **relevant person** as the Registrar for an admission decision and as the Associate Dean for a reviewable non-admission decision.
- 55.5 The section defines the **required period** as 20 working days after the applicant for review is told in writing about the reviewable decision and given a statement of reasons for the decision. However, the relevant person may extend the required period in special circumstances.

56. Section 56 - Review by Associate Dean

- 56.1 Reviewable decisions are reviewed, on their merits, by the relevant Associate Dean. This section applies if a person affected by a reviewable decision (the **applicant**) applies for review of the decision under this Part. The section sets out provisions applying to the review.
- 56.2 The section requires the Associate Dean to review the decision (see subsection (2)).
- 56.3 The section permits the Associate Dean to decide the review solely on the basis of the application for review and any supporting evidence accompanying it. However, the section permits the Associate Dean to make the inquiries, and have regard to anything else, that the Associate Dean considers appropriate (see subsection (3)). Nature justice applies to the decision-making process of the Associate Dean.
- 56.4 The section requires the Associate Dean (see subsection (4)):
- to confirm the reviewable decision; or
 - if the decision was a decision of the Delegated Authority—to set aside the decision and refer the matter to the Delegated Authority to further consider the decision and to make a new decision; or
 - set aside the decision and substitute another decision that the original decision-maker could have made.
- 56.5 The section requires the Associate Dean to endeavour to make a decision on the review within 20 working days after the application for the review is made (see subsection (6)). If the Associate Dean is unable to make a decision within that time, the section requires the Associate Dean to tell the applicant in writing and give the applicant a date by which the application for review will be decided (see subsection (7)).
- 56.6 Within 7 working days after making a decision on the review, the Associate Dean must tell the applicant in writing about the decision made on the review and give the applicant a statement of reasons for the decision (see subsection (7)).
- 56.7 The section provides that the decision of the Associate Dean is final, subject to the outcome of any subsequent application for procedural review under Part 7 (see subsection (8)). A provision has added to the section (see subsection (9)) to make it clear that subsection (8) does not prevent or limit any appeal against, or review of, the Associate Dean's decision by a court or tribunal outside the University. Thus, the section does not prevent or limit any form of review of such a decision by any external entity, including the Ombudsman and the Federal Court.

56.8 The section makes clear that it is subject to section 16 of this instrument (False or misleading statements in applications for admission etc.). Section 16 is discussed above.

57. Section 57 – Application for procedural review of review decision

57.1 In addition to merits review by the Associate Dean, this Part permits a dissatisfied applicant for review to apply for additional, limited review of (but only of) procedural aspects of the making of the Associate Dean's decision. This additional review is not intended to provide full merits review of the review decision, but only to ensure that the review decision was properly made in accordance with the procedures required by the instrument.

57.2 This section applies in relation to a person (see subsection (1)) if:

- the person applied under the Part for review by the Associate Dean of a reviewable decision; and
- the person is dissatisfied with the decision made by the Associate Dean on the review because procedures that were required to be observed by this instrument in connection with the review were not observed.

57.3 Under the section the person may apply for review of the Associate Dean's review decision, but only on the ground that procedures that were required to be observed by this instrument in connection with the review were not observed (see subsection (2)).

57.4 The section specifies requirements that an application for procedural review must comply with (see subsection (3)), including that:

- the application state clearly the procedures required by this instrument that were not observed in connection with the review; and
- be given to the Registrar within the 'required period'.

57.5 The section defines **required period** (see subsection (4)) to mean 20 working days after:

- the applicant for procedural review was told in writing under this instrument about the review decision; and
- given a statement of reasons under this instrument for the review decision.

The section authorises the Registrar to extend this period in the special circumstances of the case.

58. Section 58 – Procedural review of review decision

58.1 This section (see subsection (1)) applies if:

- a person applies for a review of a reviewable decision (the **original decision**) under this Part; and
- subsequently applies for a review (**procedural review**) under this Part in relation to the procedures that were required to be observed under this instrument in relation to the review of the reviewable decision.

58.2 The section requires the procedural review to be conducted in accordance with the section by the 'reviewing officer' (see subsection (2)). If the original decision was an admission decision, the reviewing officer is the College Dean for the relevant ANU College. If the original decision was a reviewable non-admission decision, the reviewing officer is the Deputy Vice-Chancellor.

58.3 The section permits the reviewing officer to decide the review solely on the basis application for procedural review and any supporting evidence accompanying it. However, the section permits the reviewing officer to make the inquiries, and have regard to anything else, that the reviewing officer considers appropriate (see subsection (3)). Nature justice applies to the decision-making process of the reviewing officer.

- 58.4 The section requires the reviewing officer (see subsection (4)):
- to confirm the decision made on the review of the reviewable decision (the **review decision**); or
 - to set aside the review decision and do one of the following:
 - confirm the reviewable decision (the **original decision**);
 - refer the matter to the person who made the original decision to further consider the original decision and to make a new decision;
 - substitute another decision that the original decision-maker could have made.
- 58.5 The section requires the reviewing officer to endeavour to make a decision on the procedural review within 20 working days after the application for the review is made (see subsection (5)). If the reviewing officer is unable to make a decision within that time, the section requires the reviewing officer to tell the applicant in writing and give the applicant a date by which the application for procedural review will be decided (see subsection (6)).
- 58.6 Within 7 working days after making a decision on the procedural review, the reviewing officer must tell the applicant in writing about the decision made on the review and give the applicant a statement of reasons for the decision (see subsection (7)).
- 58.7 The section provides that the decision of the reviewing officer is final (see subsection (8)). A provision has added to the section (see subsection (9)) to make it clear that subsection (8) does not prevent or limit any appeal against, or review of, the reviewing officer's decision by a court or tribunal outside the University. Thus, the section does not prevent or limit any form of review of such a decision by any external entity, including the Ombudsman and the Federal Court.

Part 8 – Miscellaneous

This Part makes provision for the appointment of Delegated Authorities for coursework award programs.

The provisions of Part 8 have not been changed in this instrument.

59. Section 59 – Appointment of Delegated Authorities

59.1. This section authorises the Associate Dean of an ANU College to appoint a member of staff of the college, or another member of staff of the University, to be a Delegated Authority for a program offered by the college for a coursework award.

60. Section 60 – Delegated Authorities: double degree programs

60.1 This section applies to a double degree program if a student undertaking the program may qualify for a coursework award in 2 ANU Colleges.

60.2 The section enables the parts of the program offered by the ANU Colleges to be treated as separate coursework award programs offered by the colleges and authorises the Associate Dean of each college to appoint a member of staff of the college or University to be a Delegated Authority for the part of the program offered by that college.

Part 9 – Transitional provisions

This Part includes details and transitional provisions that are specific to this instrument e.g. the repeal provided by section 61.

Division 9.1 – Repeal

61. Section 61 – Repeal

61.1. This section repeals the *Coursework Awards Rule 2020*.

Division 9.2 – Transitional provisions

62. Section 62 – Earlier transitional modifications on student application

- 62.1 This section provides that this instrument applies in relation to a student, with any necessary changes, subject to any modification that, immediately before the commencement of this instrument:
- was in force in relation to the student under *Coursework Awards Rule 2020*, section 62 (Earlier transitional modifications on student application); or
 - had effect under that section as if it were such a modification.
- 62.2 The section provides that the section has effect despite the repeal of the *Coursework Awards Rule 2020*.
- 62.3 The effect of the section is to preserve the benefit of any existing transitional modification that a student had obtained under the *Coursework Awards Rule 2020* or earlier repealed University legislation.

63. Section 63 – Transitional orders

- 63.1 This section allows for transitional measures to be prescribed by orders made under the Governance Statute, section 68. Under the Governance Statute orders may be made by the Vice-Chancellor as well as the University's Council.
- 63.2 The section will, for example, enable the Vice-Chancellor to make urgent transitional orders to deal with any unforeseen transitional issues arising out of the transition from the repealed rule to this instrument. Any orders made by the Vice-Chancellor must be tabled at a Council meeting (see Governance Statute, section 70 (Tabling of rules, orders, etc.)).

64. Section 64 – Application of Legislation Statute, section 26

- 64.1 This section has been included to apply the Legislation Statute, section 26 to the repeal of the existing rule. Section 26 has provisions saving the effect of action taken under repealed University legislation to which it applies.
- 64.2 This section also declares the provisions of the Division to be transitional provisions for that section. Section 26 preserves any ongoing operation of transitional provisions on their repeal.

65. Section 65 – Transitional provisions additional

- 65.1 This section makes it clear that the transitional provisions of Division 9.2 are additional to other legislation applying to transitional matters.

Division 9.3 – Expiry

66. Section 66 – Expiry of instrument

- 66.1 This section is a general expiry provision that provides for the expiry of the instrument after 10 years. The section achieves the same effect as sunseting.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

COURSEWORK AWARDS RULE 2024

This instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

The Australian National University is committed to the furtherance of equity and inclusion in all pursuits and, in doing so, is respectful and supportive of all human rights.

Overview of the instrument

This instrument makes provision about programs for coursework awards offered by the University, including the following:

- the admission process for coursework award programs;
- the rules for assessment of coursework awards;
- the requirements for supervisors of thesis components of coursework award programs and the quality of academic supervision; and
- the review of decisions made under the instrument.

Human rights implications

The instrument promotes human rights by promoting transparency in the decision-making processes around admission to coursework award programs, the quality of academic supervision, and the review of the relevant decisions throughout the process from admission to award of a degree.

Conclusion

This instrument is compatible with human rights because it ensures transparency in the decision-making processes around admission to, the content of, and award of, all coursework programs at the University. In addition, it provides for transparency and fairness in the processes for the review of decisions made by University staff.