



**THE CONSTITUTION**

**OF**

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**THE AUSTRALIAN CENTRE FOR PRIVATE LAW**

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**IN THE TC BEIRNE SCHOOL OF LAW, AT THE UNIVERSITY OF QUEENSLAND**

**May 2012**

## CONSTITUTION

### Introduction

#### 1 The centre

- (1) The centre is called the Australian Centre for Private Law.

#### 2 Status

The centre is a school centre, within the TC Beirne School of Law.

#### 3 The research area

- (1) The research area means the private law.
- (2) ‘Private law’ includes the law of contract, torts, trusts, equity, property, unjust enrichment, including theoretical and jurisprudential dimensions and contextual applications thereof.

#### 4 Purposes

The purposes of the centre are:

- (1) To create an internationally recognised centre of excellence in the research area by:
- Harnessing and developing existing and emerging talent within the school;
  - Hosting eminent scholars as visitors to the centre;
  - Attracting and supporting RHD students in the research area;
  - Promoting research in the research area within the Law School, academic community and generally.
- (2) To create a research support system and research culture in the research area that:
- Generates resources;
  - Co-ordinates research efforts;
  - Provides leadership, guidance and mentoring to researchers; and
  - Establishes fora and media for the discussion and dissemination of research outputs.
- (3) To disseminate and promote research in the area to the academic community, the legal profession and the wider community.

#### 5 Objectives

The objectives of the centre are to:

- (1) Promote advanced research in the research area.
- (2) Disseminate by all means the outcomes of research in the research area.
- (3) Attract and support outstanding RHD students in the research area within the PhD and MPhil programs in the school.
- (4) Establish links with similar research organisations.
- (5) Establish co-operative links with Commonwealth, State and foreign governments and law reform agencies.
- (6) Establish co-operative links with institutions to promote research in the research area.
- (7) Promote visits and exchanges of scholars nationally and internationally.
- (8) Foster interaction between the centre and stakeholders dealing with private law issues.
- (9) Assist in promoting legal research and discourse in and the research profile of the School amongst the legal profession and wider community.

## **Part 2 - Centre members**

### **6 Members**

- (1) Members of the centre shall be described as fellows.
- (2) Membership of the centre is open to all staff of the TC Beirne School of Law who wish to participate actively in the objectives outlined above.
- (3) The board of management may appoint such other persons as fellows of the centre as it thinks fit.

## **Part 3 - Centre management**

### **7 Director**

- (1) The Head of School will appoint a fellow to be the centre director.
- (2) The centre director will have responsibility for and oversee:
  - The management of the centre;
  - Preparation and management of the centre's budget and finances;
  - The development of a strategic plan for the centre, which may inter alia set out particular research programmes to be pursued; and
  - Preparation of the Centre's Annual Report.
- (3) The centre director may appoint a fellow to be the deputy director of the centre.

## **8 Management committee**

The centre has a board of management.

## **9 The board of management**

- (1) The members of the board are:
  - The head of school;
  - The school executive officer;
  - The centre director;
  - Up to 3 fellows who are not directors.
- (2) The centre director will be chair of the board and, if unable to attend a meeting, may appoint an acting chair of the board.
- (3) The fellows on the board will be:
  - Elected to that position by ballot of all of the fellows who are not directors;
  - Elected for a 3-year term; and
  - Eligible for re-election.

## **10 Powers of the board of management**

The board will:

- (1) Oversee the work of the centre.
- (2) Oversee the development of the strategies and policies of the centre.
- (3) Approve the annual budget and the annual report.

## **11 Meetings of the board of management**

- (1) The board will have at least 3 meetings every year.
- (2) A meeting of the board may be called by:
  - The centre director; or
  - Any 3 members of the board.

## **12 Patron**

The board may invite a distinguished person to be patron of the centre.

## **Part 5 - Operations**

### **13 Budget and report**

- (1) Every year, the centre director will prepare an annual budget and an annual report.

### **14 Website**

The centre will establish and maintain a website.

## **15 Visitors**

- (1) The board may recommend to the Head of School that a person be appointed as a Visiting Academic pursuant to HUPP 5.20.7 and that he or she be styled as a:
  - Visiting fellow; or
  - Visiting Scholarof the centre.
- (2) A visiting fellow of the centre is an internationally or nationally prominent expert, researcher or scholar in the research area.
- (3) A visiting scholar is a current RHD student of another university who is temporarily undertaking research with the centre in the research area.
- (4) The board may provide material or financial support to a visiting fellow or visiting scholar.

## **16 Amendment of constitution and rules**

- (1) This constitution may only be amended by a special resolution of the board that is subsequently approved by the executive dean.
  - (2) The rules:
    - Will be made subject to, and in accordance with, the constitution; and
    - May only be amended by a resolution of the board.
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