

Appendix 5

Ministerial Orders

Tertiary Education Act 1993

MINISTERIAL ORDER

The Minister for Tertiary Education and Training (referred to herein as the Minister) makes the following Order:

1. Authorising provision

This Order is made under section 10 of the Tertiary Education Act 1993.

2. Commencement

This Order comes into operation on the date of its publication in the Government Gazette.

3. Object

The object of this Order is to approve an institution to operate as a university, and to apply conditions to that approval.

4. Approval

Melbourne University Private Limited (A.C.N. 081 182 685) referred to herein as the institution, is hereby approved to operate as a university subject to the following conditions:

- i. the approval is for a period of five years (subject to the provisions of section 10 (5) and (7) of the Tertiary Education Act 1993), and commencing on the date this Order comes into operation.
- ii. higher education award programs must only be offered by the institution if the said programs have been certified by the Academic Board of the University of Melbourne as being equivalent in standard to University of Melbourne

Victoria Government Gazette

Higher education awards.

- iii. the institution must develop a discrete program of research activity aimed at achieving within five years –

- a) a level of research output acceptable to the Minister, and
 - b) at least three percent of its students in post graduate research programs, and
- iv. a report on the institution's progress towards implementation of the development plans, set out in its submission for approval to operate as a university dated 27 February 1998, will be provided to the Minister on or before 31 December 2001 by a person or persons acceptable to the institution and the Minister, and appointed by the Minister

Dated 14 July 1998

PHIL HONEYWOOD MP

Minister for Tertiary Education and Training

Tertiary Education Act 1993

MINISTERIAL ORDER

The Minister for Education and Training (referred to herein as the Minister) makes the following Order:

1. Authorising provision

This Order is made under section 10 of the Tertiary Education Act 1993.

2. Commencement

This Order comes into operation on 15 July 2003.

3. Object

The object of this Order is to approve an institution to operate as a university, and to apply conditions to that approval.

4. Approval

Melbourne University Private Limited (A.C.N. 081 1582 685; ABN 53 081 182 685), referred to herein as the institution, is hereby approved to operate as a university subject to the following conditions:

- (i) The approval is for a period of five years (subject to the provisions of section 10 (5) and (7) of the Tertiary Education Act 1993), and commencing on 15 July 2003.
- (ii) There be by July 2004 from each of the three Schools evidence of at least one peer-reviewed externally-published research output per equivalent full-time (EFT) of academic staff, and that this level of research productivity constitutes the minimum for each of the subsequent four years. Such research outputs should meet the specifications required by the Commonwealth Department of Education, Science and Training for its higher education research data collection.
- (iii) The institution move progressively towards increasing the overall percentage of total enrolments in higher education award courses (as defined in the Australian Qualifications Framework) relative to total enrolments, while also maintaining the Institution's own growth targets for actual numbers of students in those courses (766 in July 2005), such that by 2008 at least 10% of total (headcount) enrolments are in higher education award courses. Movement towards this percentage is to be reported explicitly in the Institution's Annual Report. By July 2004 at least 3% of total

(headcount) enrolments should be in higher education award courses, rising to 5% in July 2005, 6% in July 2006, and 8% in July 2007.

- (iv) The Institution appoint within the first year of approval a Chief Academic Officer (initially on a fractional basis) to whom Academic Heads of School shall report, this position to be full-time by July 2006; that Academic Heads of School be at least three-quarter time with the Institution by 2006 and full-time by 2008; and that the proportion of full-time academic staff increase. Accordingly, by 31 December 2003, a one-quarter time Chief Academic Officer should be appointed, with this position being half time by July 2004, and three quarter time by July 2005. Similarly, Academic Heads of School should be at least half time by July 2004. Twenty per cent of the MUP academic staff should be employed full-time by July 2006.
- (v) The Institution is to retain an academic organisational structure comprising at least three Schools during the approval period, with each School to have a core of academic staffing resources to support its research and teaching activities. Conjoint Melbourne University Private academic appointments with the University of Melbourne are to include a proportion of time for research of not less than quarter of the teaching time.
- (vi) The Institution is to undergo a quality audit (including institutional responses to the audit report) by the Australian Universities Quality Agency (AUQA) before July 2007, and that the outcome of this audit (including the Institution's responses) be deemed to be satisfactory. Provided that the Institution meets the other conditions any decision as to whether the Institution should receive further approval to operate as a university after July 2008 will be largely based upon this audit, and upon the AUQA view of the Institution response to its recommendations.
- (vii) The Institution provide information in its Annual Reports for 2005 and 2007 on client and student satisfaction with higher education award courses designed and delivered for corporate and government clients. This information should be based on appropriately structured surveys and interviews undertaken with a statistically relevant cohort of students enrolled in and graduates of award courses, as well as with a relevant sample of the corporate and government clients for whom the award courses were designed and delivered.
- (viii) The Institution should obtain from its shareholder (The University of Melbourne) an undertaking that it will not allow

its equity position in the Institution to fall below 51 % in the five year period to July 2008. The University of Melbourne is to give an undertaking to allow students to complete higher education award courses in which they are enrolled should the Institution be unable to continue to operate, and

- (ix) The Institution is required to table an Annual Report in Parliament at the same time as other Victorian universities, covering issues specifically identified by the Office of Higher Education and according to a template they provide. These Annual Reports will be expected to address the conditions outlined above.

Dated 25 June 2003

LYNNE KOSKY, MP
Minister for Education and Training