THE UNIVERSITY OF SYDNEY

Policy Document

Associated and Affiliated Entities

1. Purpose

1.1 The purpose of this Policy is to identify those considerations to which regard must be had when the University proposes to establish or join an entity with which it and third parties will be associated or affiliated.

2. Policy

2.1 A person must not make representations on behalf of the University about associating or affiliating with a third party, or agree on behalf of the University to establish or participate in an Associated Entity or an Affiliated Entity, except in accordance with this Policy and the *Associated and Affiliated Entities – Operational Guidelines*.

2.2 A person who seeks approval for the University to establish or to participate in an Affiliated Entity or an Associated Entity ('**Sponsor**'), must ensure that the proposed association or affiliation meets one or more of the University's objectives:

2.3 Where one or more of the above strategic objectives is met by a proposal to associate or affiliate with a third party, the Sponsor must develop the proposal for consideration and approval by the relevant Delegated Officer in accordance with the *Associated and Affiliated Entities – Operational Guidelines*.

3. Background

3.1 The University of Sydney seeks to promote collaboration in teaching and research, and enthusiastically acknowledges the benefits of working cooperatively with third parties across Australia and internationally.

4. Scope

4.1 The University may associate or affiliate with a third party by a number of different means, including by establishing or participating in associations, partnerships, trusts, companies, other incorporated bodies, and joint ventures (whether or not incorporated). The University's contribution may be by means of debt, equity, contribution of assets, human resources, premises, infrastructure, technical, in-kind or subsidised support (such as concessional rental agreements) or other means.

4.2 In many cases, the nature of the collaboration or affiliation requires the contribution by the University of resources to support the operation of the associated or affiliated entity. The nature of those resources and the basis upon which the University is to contribute them must be

documented in an agreement involving at least the University and the associated or affiliated entity.

4.3 The types of associated or affiliated entities the University may collaborate with include but are not limited to:

- Centres
- Institutes
- NHRMC/ARC Research Centres Of Excellence
- CRCs
- Foundations
- Companies,

or

- a range of other groups, clusters, networks or ventures

4.4 These may involve the University collaborating through a range of legal structures including the types listed below:

- Associations
- Australian Proprietary Company, Limited By Shares
- Australian Public Company, Limited By Guarantee
- Australian Public Company, Limited By Shares
- Commonwealth Government Entity
- Co-operative
- Indigenous Corporation
- Other Incorporated Entity
- Other Trust
- Other Unincorporated Entity
- Overseas Incorporation
- Overseas Incorporation - Trust
- Overseas Unincorporated
- Partnership
- State Government Statutory Authority
- Unincorporated Association
- Unincorporated Joint Venture

It is participation in the above legal structures that this Policy assists

5. Interpretation

5.1 This Policy is to be read and interpreted in accordance with the *University of Sydney Act* 1989 (as amended) and any delegated legislation (such as By-Laws or Rules of the University) as amended from time to time.

5.2 This Policy is to be read and interpreted in accordance with the University's *Delegations of Authority – Administrative Functions* and the University's *Guidelines Concerning Commercial Activities*.

5.3 A reference in this Policy to legislation, delegated legislation, or to a legislative provision, is a reference to such legislation or provision as amended from time to time.

6. Definitions

In this Policy:

Affiliated Entity means an entity in which the University has equal to or less than 20% representation on the entity's governing body or of its voting membership;

Associated Entity means an entity in which the University has equal to or less than 50% representation on the entity's governing body or of its voting membership;

Delegated Officer means a person with delegated authority from the Senate to approve the University establishing or participating in the relevant Associated Entity or Affiliated Entity.

7. Review

7.1 This Policy will be reviewed on or before 27 July 2013.

ADMINISTRATION

1. Dates

Approval (version 1)	
Effect	
Review	
Approval (version 2)	
Effect	

2. Approval

Version 1	Dr Michael Spence, Vice-Chancellor and Principal
Version 2	

3. Signatures

Approved by:

Name

Dr Michael Spence

Position

Vice-Chancellor and Principal

Date

28 January 2011

Signature