

NORTHERN TERRITORY OF AUSTRALIA

CHARLES DARWIN UNIVERSITY (COMMON SEAL) BY-LAWS

As in force at 26 January 2005

Table of provisions

1	Citation	1
2	Definitions.....	1
3	Custody of the common seal	1
4	Use of the common seal.....	1
5	Attestation clause	2
6	Repeal	2

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the By-laws as in force at 26 January 2005. Any amendments that commence after that date are not included.

CHARLES DARWIN UNIVERSITY (COMMON SEAL) BY-LAWS

By-laws under the *Charles Darwin University Act*

1 Citation

These By-laws may be cited as the *Charles Darwin University (Common Seal) By-laws*.

2 Definitions

In these By-laws:

(a) ***common seal*** means the common seal of the University;

3 Custody of the common seal

The common seal is to be kept in safe custody by the person holding the position of Executive Director (Corporate Services), or a person acting in or carrying out the duties of that office from time to time, or if at any time that office ceases to exist, then the Vice-Chancellor or the person holding the office determined by the Vice-Chancellor.

4 Use of the common seal

- (1) Subject to clause (2), the common seal may be affixed with the authority of the Council to any:
 - (a) deed, instrument, contract or agreement described in section 43(1) of the Act (including, but not limited to, any document relating to the granting, amendment or extension of a lease, the sale, transfer, gift or demise of any property, or a deed of any kind);
 - (b) testamur or other similar certificate issued by or on behalf of the University; and
 - (c) other document that the Council resolves is to be executed using the common seal.

(2) The Vice-Chancellor shall not affix the common seal to any document except in circumstances where:

- (a) A document is required to be executed for giving effect to, or otherwise in connection with, a resolution of the Council or a transaction entered into on behalf of the University by a duly authorised person or persons, or
- (b) The Vice-Chancellor is acting by direction and on behalf of the Council.
- (c) Where the Vice-Chancellor affixes the common seal to a document by virtue of clause (2), the Vice-Chancellor shall cause that fact to be brought to the notice of the Council at its next meeting.

5 Attestation clause

(1) If the common seal is affixed to a document, the following attestation clause may be used:

"The common seal of the Charles Darwin University is affixed in the presence of:

..... Signature of Council member Print name of Council member
..... Signature of Council member Print name of Council member"

(2) If the common seal is affixed to a document in accordance with by-law 4(2), the following attestation clause may be used:

"The common seal of the Charles Darwin University is affixed in the presence of:

..... Signature of Vice-Chancellor Print name of Vice-Chancellor
---------------------------------------	--

(3) Any failure to use the attestation clause set out in by-law 5(1) does not affect the validity of the document or of the affixing of the common seal to that document in any way.

6 Repeal

The by-laws in force immediately prior to the date of commencement of these by-laws and cited as the *Northern Territory University (Common Seal) By-laws* are repealed on and from the date of commencement of these by-laws.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Charles Darwin University (Common Seal) By-laws

Notified	26 January 2005
Commenced	26 January 2005