

# Legislative Compliance Framework

## Table of Contents

1. Governing Policy
2. Purpose
3. Scope
4. Definitions
5. Four principal elements of the Framework
6. Roles and responsibilities for legislative compliance
7. Register of Legislation

## 1. Governing Policy

[Risk Management Policy](#)

## 2. Purpose

To set out the University's mechanisms for delivering effective compliance with all legislation that applies to the University in a manner which:

- a. is consistent with AS ISO 37301: 2023 Compliance Management Systems – Requirements with guidance for use
- b. promotes legislative compliance as part of the University's culture
- c. reduces the risk of legal sanctions to the University, its senior management and staff for compliance breaches, and ensures appropriate responses to potential breaches
- d. provides assurance, both internally and externally, that the University has robust mechanisms for ensuring legislative compliance
- e. protects and enhances the University's relationship with interested parties, and
- f. protects the University's reputation as a good corporate citizen.

## 3. Scope

This Framework:

- a. applies to all [University Personnel](#) and all controlled entities when engaging in University activities
- b. creates a basis for compliance with relevant legislation and legislative instruments, including codes and standards which have the effect of law
- c. does not apply to compliance with contractual obligations, or codes or standards not having the effect of law.

## 4. Definitions

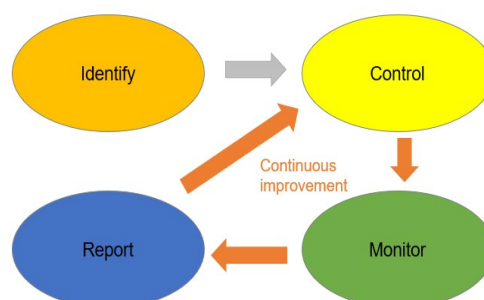
<b>Compliance Incident</b>	A set of facts which constitutes, or has the potential to constitute, a breach of applicable legislation by the University
<b>Register of Legislation or Register</b>	The register of legislation relevant to the University, to be maintained by the Legislative Compliance Officer as described in section 7.
<b>Register of Compliance Incidents</b>	The central register recording Compliance Incidents to be established and maintained for this purpose by the Legislative Compliance Officer.

<b>Tier</b>	The classification tier used for legislation in the Register of Legislation as described in section 7.
<b>University Personnel</b>	University staff, contractors and academic status holders, including staff of University controlled entities and their contractors.

## 5. Four principal elements of the Framework

The Framework includes four principal elements which are necessary to ensure legislative compliance:

- Identify** legislation that applies to the University and classify it by risk and area of impact. This is an ongoing process which involves monitoring the regulatory environment and organisation for change.
- Control:** Take measures to establish necessary compliance controls, including provision of information and resources about legislative obligations and this Framework to raise awareness. That information is then used to identify and/or establish necessary compliance controls.
- Monitor** compliance and establish a central register of non-compliance issues.
- Report** and certify to demonstrate that legislative compliance is actively supported across the University, report on cases of non-compliance, and provide assurance to the Council via the Audit and Risk Committee.



The Framework requires the University to continue to apply controls and to monitor and report in relation to identified legislation as a process of **continuous improvement**.

## 6. Roles and responsibilities for legislative compliance

- All [University Personnel](#) are responsible for ensuring that they comply with all applicable laws in the performance of their duties at all times.
- The University's Audit and Risk Committee is responsible for advising Council on the adequacy of the University's measures to ensure compliance with applicable legislation.
- The **Legislative Compliance Officer (LCO)** together with the General Counsel and University Secretary is responsible for managing the legislative compliance framework of the University as set out in this Framework.
- Legislation categorised as Tier 1 or Tier 2 is assigned a **Responsible Person (RP)**. A Responsible Person is responsible for the management and monitoring of identified compliance risks within their control and responsibility in relation to a particular Act. In addition, a **Specialist Compliance Officer (SCO)** is usually assigned to assist a Responsible Person for each Act.
- RPs and SCOs are assigned consistent with the University's organisational structure and the responsibilities assigned to their position. More than one RP or SCO may be allocated to individual Tier 1 or Tier 2 legislation.
- RPs are also notified of Tier 3 and Tier 4 Acts impacting their area to give them a wider view of the legislative compliance risks that apply in their area of operation.
- The following table sets out the allocation of specific roles and responsibilities under the Framework to the University Personnel who are best placed to perform them.

- h. In addition, audits of compliance and the effectiveness of controls relating to Tier 1 legislation are considered as part of the Internal Audit Plan.
- i. As per the Risk Management Framework, the Legislative Compliance Framework is subject to independent review by Internal Audit and assurance of appropriateness, effectiveness, and adequacy.

**Table 1: Legislative compliance roles and responsibilities**

Responsibility	Identify	Control	Monitor	Certify
<b>i. Legislative Compliance Officer (LCO)</b>	<p>Identify and classify legislation and record this in the Register of Legislation.</p> <p>Identify RPs and SCOs.</p> <p>Maintain and update the Register of Legislation to reflect organisational and regulatory changes (including changes to Tier 1 and Tier 2 legislation).</p>	<p>Provide general advice and guidance on the compliance framework and compliance matters.</p> <p>Liaise annually with RPs and SCOs on amendments to their Tier 1 and Tier 2 legislation and the measures put in place to deal with them.</p> <p>On an annual basis liaise with RPs and SCOs to confirm the Tier 3 and 4 legislation relevant to their area of operation.</p> <p>As required, provide updates on new or proposed legislation.</p> <p>Develop materials to increase awareness of the Framework and help embed a compliance culture.</p> <p>Provide advice and guidance to RPs and SCOs in relation to the Framework.</p>	<p>Administer the Framework.</p> <p>Establish the Register of Compliance Incidents.</p> <p>Receive notifications of Compliance Incidents and update the Register of Compliance Incidents</p> <p>Oversee monitoring of legislative compliance performance by RPs and SCOs in relation to Tier 1 and Tier 2 legislation.</p> <p>Assist RPs and SCOs in the preparation, review and updating of compliance plans.</p>	<p>Ensure adherence to the certification process by RPs.</p> <p>Report to the General Counsel and University Secretary and Audit and Risk Committee on legislative compliance as required, including by way of an Annual Report.</p>

<b>ii. Responsible Persons (RP)</b>	Assist the LCO to identify and classify legislation within their area of responsibility.	Champion a compliance culture.  Ensure that formal compliance plans and work practices for the Tier 1 and Tier 2 legislation allocated to them are developed and communicated within relevant areas of the University.	Monitor compliance with their allocated Tier 1 and Tier 2 legislation.  Receive notifications of Compliance Incidents for their Tier 1 and Tier 2 legislation.  Ensure the LCO is notified of Compliance Incidents, with details of remedial action, if applicable.  Ensure appropriate remedial action is taken.  Ensure liaison with regulatory authorities on compliance matters as needed.  Review and approve compliance plans and work practices for their Tier 1 and Tier 2 legislation.	Report and certify annually as to compliance in relation to their Tier 1 and Tier 2 legislation.
<b>iii. Specialist Compliance Officers (SCO)</b>	Assist the LCO to identify and classify legislation under their responsibility.	Provide advice to the RP and local areas on their Tier 1 and Tier 2 legislation.  Develop compliance resources for their allocated legislation.	Assist RPs to monitor compliance with relevant legislation and address any issues arising from Compliance Incidents.  Receive notifications of Compliance Incidents and report to the relevant RP and LCO.  Ensure appropriate remedial action is taken.  Prepare, review and (as needed) amend compliance plans for	Assist the RP with the reporting and certification process for their allocated Tier 1 and Tier 2 legislation.

			the approval of the Responsible Person	
<b>iv. Heads of Colleges, Portfolios and Divisions, each a Business Unit Head or BUH</b>	Provide assistance to identify and classify legislation relevant to their area.	Champion a compliance culture.  Ensure their areas comply with any compliance plans and relevant legislation, generally.	Receive notifications of Compliance Incidents in their area and report all Compliance Incidents to the relevant RP and the LCO.  Ensure appropriate remedial action is taken.	
<b>v. All University Personnel</b>			Report any Compliance Incident of which they become aware to the relevant RP, an SCO, the LCO, or the relevant BUH.	

## 7. Register of Legislation

- a. The Register of Legislation divides all applicable legislation into:
  - i. categories which broadly follow the University's organisational structure, and
  - ii. tiers which describe the level of risk, as set out in Table 2. Higher tiers reflect a greater need for compliance management.
- b. RPs will be allocated and SCOs may be allocated to Tier 1 and Tier 2 legislation, and those allocations recorded in the Register.
- c. The LCO is responsible for the maintenance of the Register, which is to be reviewed on an annual basis. This review includes the assessment of any necessary changes to the ranking of legislation across the tiers.

**Table 2: Tier of risk**

\*Tier allocation is based on an assessment of consequences of breach as set out below taking into account a subjective assessment of the relevance of the legislation to the University's operations. The allocation of a tier to a piece of legislation is determined by:

- i. assessing what compliance obligations under that legislation apply in the course of the University's operations
- ii. assessing what are the consequences that can reasonably be expected for breach of those compliance obligations by the University, and rank those consequences in accordance with the University's Risk Rating Matrix. An initial tier allocation is then made based on the following table [Table 2]
- iii. review and, if necessary, adjust that initial tier allocation to take account of the relevance of that legislation to the University. This will be done by considering the nature, scope and instances of University activities which are subject to those compliance obligations.

Tier	Indicative Features	RP assigned	SCO assigned
<b>Tier 1</b>	Consequence of breach* ranked Severe as per the University's Risk Rating Matrix	YES	YES, as required by RP
<b>Tier 2</b>	Consequence of breach ranked Major as per the University's Risk Rating Matrix	YES	YES, as required by RP
<b>Tier 3</b>	Consequence of breach ranked Moderate as per the University's Risk Rating Matrix	NO	NO
<b>Tier 4</b>	Consequence of breach ranked Minor or Insignificant as per the University's Risk Rating Matrix	NO	NO

<b>Approval Authority</b>	General Counsel and University Secretary
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\* Unless otherwise indicated, this policy or procedures still apply beyond the review date.

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