



Australian
National
University

THE AUSTRALIAN NATIONAL UNIVERSITY

澳大利亚国立大学

Appeals Rule 2018

2018 年申诉规则

I, Professor Brian P. Schmidt, Vice-Chancellor, make the following rule.
本人，Brian P. Schmidt 教授，校长，制定下列规则。

Dated 19 March 2018
日期：2018 年 3 月 19 日

Professor Brian P. Schmidt AC FAA FRS
Brian P. Schmidt 教授 AC FAA FRS
Vice-Chancellor
校长

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Part/部分 1—Preliminary

序言

1 Name

名称

This is the *Appeals Rule 2018*.
本文件是 2018 年申诉规则。

2 Commencement

生效

This instrument commences on the day after it is registered.
本立法文件生效日期为其注册之后的第二天。

3 Authority

依据

This instrument is made under the *Appeals Statute 2014*, section 3.
本立法文件是根据 2014 年申诉法规第 3 章制定的。

4 Definitions

定义

In this instrument:
在本立法文件中：

Academic Board means the Academic Board established under the Academic Board Statute.

学术委员会是指根据学术委员会法规设立的学术委员会。

academic misconduct decision: see section 7 (Academic misconduct decisions).

关于学术不端的决定：请参阅第 7 章（关于学术不端的决定）。

Appeals Committee means an Appeals Committee appointed under section 16 (Appeals Committee).

申诉委员会是指根据第 16 章任命的申诉委员会（申诉委员会）。

discipline decision: see section 6 (Discipline decisions).

纪律处罚决定：请参阅第 6 章（纪律处罚决定）。

exercise a function includes perform the function.

行使职能包括履行该职能。

function includes authority, duty and power.

职能包括授权、职责和权力。

reviewable decision: see section 5 (Meaning of *reviewable decision*).

可复议的决定：参加第 5 章（可复议的决定的定义）

Secretary, to an Appeals Committee, means the person appointed as Secretary to the Appeals Committee under section 16(5) (Appeals Committee).

申诉委员会 **秘书**是指根据第 16 (5) 章 (申诉委员会) 的规定被任命为申诉委员会秘书的人。

student.

学生:

- (a) means any person who is or was enrolled in, or seeking enrolment in, a program or a course offered by the University, or who is or has been given permission by the University to audit a course offered by the University; and
指正在或曾在大学提供的项目或课程中注册, 或正在寻求注册该项目或课程的人, 或已被大学允许旁听大学提供的项目或课程的人; 并且
- (b) in Part 8 (Consideration by Appeals Committee), includes a person who is the applicant in relation to the application for review.
在第 8 部分 (申诉委员会的审议) 中, 包括与复议申请有关的申请人。

working day means a day that is not a Saturday, a Sunday, a public holiday in the Australian Capital Territory, or a University holiday.

工作日指除星期六、星期日、澳大利亚首都领地的公共假日或大学假日以外的日子。

Part/部分 2—Reviewable decisions

可复议的决定

5 Meaning of *reviewable decision*

可复议的决定的定义

A decision is a ***reviewable decision*** under this instrument if it is:

以下决定是本立法文件下 **可复议的决定**:

- (a) a discipline decision; or
纪律处罚决定; 或
- (b) an academic misconduct decision.
关于学术不端的决定。

6 Discipline decisions

纪律处罚决定

A decision is a ***discipline decision*** if it is declared to be a reviewable decision by the Discipline Rule.

如果根据《纪律处罚规则》宣布某项决定是可复议的决定, 则该决定为**纪律处罚决定**。

7 Academic misconduct decisions

关于学术不端的决定

A decision is an ***academic misconduct decision*** if it is declared to be a reviewable decision by the Academic Misconduct Rule.

如果根据《学术不端相关规则》宣布某项决定为可复议的决定, 则该决定为**关于学术不端的决定**。

Part/部分 3—Grounds for review

复议理由

8 Grounds for review

复议理由

- (1) An application by a person for review of a decision must be made on 1 or more of the following grounds:

任何人提出的复议决定的申请必须基于以下 1 项或多项理由：

- (a) that a procedural irregularity happened that may have affected the decision by the decision-maker;
发生了可能影响决策者做出的决定的程序违规行为；
- (b) that the decision-maker was biased;
决策者有偏见；
- (c) that the decision was manifestly wrong;
该决定显然是错误的；
- (d) that the decision was made in a mistaken application of the applicable rules;
该决定是应用了错误的适用规则而做出的；
- (e) that there is substantial relevant evidence that:
有实质性的相关证据：
 - (i) was not taken into account by the decision-maker; and
未被决策者考虑在内；并且
 - (ii) could not have been known to the person and provided to the decision-maker before the decision was made;
在相关决定作出之前，申请人不可能知道，也不可能将其提供给决策者；
- (f) that a penalty imposed on the person, or any other action taken in relation to the person, under the Academic Misconduct Rule or Discipline Rule was manifestly excessive.
根据《学术不端相关规则》或《纪律处罚规则》对人施加的处罚或对该人采取的任何其他行动明显过度。

- (2) If an application for review includes the ground mentioned in subsection (1)(f), the penalty or other action is taken to form part of the decision for this instrument.

如果复议申请包括第（1）（f）款所述的理由，则将施加的处罚或采取的其他行动视为构成本立法文件决定的一部分。

Part/部分 4—Making application for review

提交复议申请

9 Affected person may make application for review

受影响者可以提出复议申请

- (1) A person may make an application for review of a decision if:
在下列情况下，某人可对某项决定提出复议申请：
- (a) the decision is a reviewable decision affecting the person in the person's capacity as a student; and
该决定为可复议决定，并对此人的学生身份造成影响；并且
 - (b) the application is made within 20 working days after the day the person is notified of the decision or within any further period allowed under section 30 (Extension of time).
申请是在此人获知该决定后的 20 个工作日内，或在根据第 30 章（延长时限）的规定允许的任何延长期限内提出的。
- (2) The application must:
申请必须：
- (a) specify the grounds on which the person relies; and
列明此人所依据的理由；并
 - (b) be given to the Registrar.
交给教务长。

Part/部分 5—Consequences of making application for review **申请复议的后果**

10 Application for review by student whose enrolment has been terminated **已被终止注册的学生申请复议**

The termination of a student's enrolment does not take effect until any application for review in relation to the relevant decision has been finally decided.
在针对相关决定的复议申请做出最终决定之前，终止学生注册的决定不会生效。

11 Application for review by student who has been excluded or denied access **被开除或遭禁令的学生申请复议**

The exclusion of a student, or denial of access to facilities, premises or activities of the University, under the Academic Misconduct Rule or the Discipline Rule continues to have effect even though an application has been made for review of the relevant decision.

即使已经提出了相关决定的复议申请，根据《学术不端相关规则》或《纪律处罚规则》开除学生或禁止学生使用大学的设施、场所或参与活动的决定仍然继续有效。

Part/部分 6—Preliminary consideration of applications 初步考虑申请

12 Rejection of invalid applications 拒绝无效申请

- (1) The Registrar may reject an application for review of a decision if it appears:
如有以下情况，教务长可拒绝复议申请：
- (a) that the application does not relate to a reviewable decision; or
该申请与可复议的决定无关；或
 - (b) that the application does not set out 1 or more grounds required by this instrument; or
该申请未列出本立法文件所要求的 1 个或多个理由；或
 - (c) that the application has not been made within the time required by this instrument.
未能在本立法文件要求的时间内提出申请。
- (2) However, the Registrar may reject the application only if the Registrar has given the applicant an opportunity to make a written submission in relation to the proposed decision.
但是，只有在教务长已给予申请人机会就拟定的决定提出书面意见的情况下，才可以拒绝该申请。
- (3) If the Registrar rejects the application under this section, the Registrar must, as soon as is practical:
如教务长根据本条拒绝该申请，则教务长必须在切实可行范围内尽快：
- (a) tell the applicant and the decision-maker in writing about the decision; and
将该决定以书面形式告知申请人和决策者；并
 - (b) give them a written statement of reasons for the decision.
给他们一份书面说明，说明做出决定的理由。

13 Referral of application to Appeals Committee 将申请转交给申诉委员会处理

Subject to section 12 (Rejection of invalid applications), if it appears to the Registrar that an application for review relates to a reviewable decision, the Registrar refer the application to an Appeals Committee.

除第 12 章（拒绝无效申请）另有规定外，如果教务长认为复议申请合理，则教务长会将申请转交给申诉委员会处理。

14 Interim measures by Vice-Chancellor 校长的临时措施

If an application for review is made by a student whose candidature or enrolment in a program or course has been terminated because of the decision that is the subject of the application for review, the Vice-Chancellor may direct that the student be permitted to continue to undertake that program or course until the application for review has been finally decided.

如果被终止入读或注册某项目或课程的学生提出复议申请，校长可以指示允许该学生继续进行该项目或课程，直到对复议申请有最终决定为止。

Part/部分 7—Appointment of Appeals Committee 申诉委员会的任命

15 Appeals Panel 申诉小组

- (1) There is to be an Appeals Panel appointed by the Academic Board.
由学术委员会任命一个申诉小组。
- (2) The Appeals Panel is to consist of at least 2 persons in each of the following categories:
申诉小组应由至少 2 个以下类别的人组成:
 - (a) students appointed after consultation with the President of the Australian National University Students' Association Inc.;
与澳大利亚国立大学生会主席协商后任命的学生;
 - (b) students appointed after consultation with the President of the Australian National University Postgraduate and Research Students' Association Inc.;
与澳大利亚国立大学研究生会主席协商后任命的学生;
 - (c) persons who have knowledge or experience in the teaching, research or visual and performing arts functions of the University.
在大学的教学、研究或视觉及表演艺术方面有知识或经验的人。
- (3) A member of the Appeals Panel:
申诉小组的成员:
 - (a) holds office, subject to this instrument, for 2 years; and
根据本立法文件的规定任职 2 年; 并且
 - (b) is eligible for reappointment; and
有资格连任; 并且
 - (c) may resign by written notice given to the Registrar.
可以书面通知的方式向教务长辞职。
- (4) If a student who has been appointed under subsection (2)(a) or (b) ceases to be a student, the person ceases to be a member of the Appeals Panel.
如根据第 (2) (a) 或 (b) 款被任命的学生不再是学生, 则此人也不再是申诉小组的成员。

16 Appeals Committee 申诉委员会

- (1) If the Registrar receives an application for review, the Registrar must appoint an Appeals Committee for the review unless the application is rejected by the Registrar under section 12 (Rejection of invalid applications).
如果教务长收到复议申请, 除非教务长根据第 12 章 (拒绝无效申请) 拒绝了该申请, 否则必须任命申诉委员会复议。
- (2) The Appeals Committee must include at least 4 members of the Appeals Panel, including:
申诉委员会必须包括至少 4 名申诉小组成员, 其中包括:

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- (a) 1 student member from the appropriate category; and
1 名来自适当类别的学生成员； 和
- (b) 3 members appointed to the Appeals Panel under section 15(2)(c) (Appeals Panel).
根据第 15 (2) (c) 章 (申诉小组) 的规定任命的申诉小组的 3 名成员。
- (3) A person appointed to the Appeals Committee must not be the original decision-maker.
原来的决策者不可以被任命为申诉委员会的成员。
- (4) The Registrar must appoint a person, other than a student, to be the Chair of the Appeals Committee.
教务长须委任一名学生以外的人担任申诉委员会主席。
- (5) The Registrar must appoint a person (other than a member of the Appeals Committee) to be the Secretary to the Appeals Committee.
教务长必须委任一人 (申诉委员会委员以外的人) 为申诉委员会秘书。
- (6) The Registrar may appoint a person (other than a member of the Appeals Committee) to assist the Appeals Committee in the hearing of the application for review.
教务长可委任一人 (申诉委员会成员以外的人) 在复议申请听证会上协助申诉委员会。
- (7) If the Appeals Committee is appointed to consider an application for review relating to an academic misconduct decision, the Appeals Committee must include a person from the relevant academic discipline or, if this is not possible, a related academic discipline.
如果任命申诉委员会审理与学术不端相关决定有关的复议申请, 则申诉委员会必须包括一名来自该学科的人员, 或者如果无法做到的话, 则包括一名来自相关学科的人员。
- (8) The quorum for a meeting of the Appeals Committee (including a hearing) is 3 members, including the Chair.
申诉委员会会议 (包括听证会) 的法定人数为 3 名成员, 包括主席在内。

Part/部分 8—Consideration by Appeals Committee 申诉委员会的审理

17 Additional material 额外材料

- (1) If material is made available to the Appeals Committee that was not before the original decision-maker, the Appeals Committee may assess the additional material provided in a summary way on the papers without conducting a hearing.
如果向申诉委员会提供的材料未曾提供给最初的决策者，则申诉委员会可根据书面材料以简要方式评估该额外材料，而无需举行听证会。
- (2) If, on review of the material, the Appeals Committee considers the information to be cogent, relevant or substantial, it may refer the decision back to the original decision-maker to remake the decision.
如果申诉委员会在审查额外材料时认为该信息具有说服力、相关性或实质内容，则可驳回原决定，要求原决策者重新做出决定。
- (3) A decision remade following reference back under this section:
根据本章的规定重新做出的决定：
 - (a) stands in place of the original decision; and
代替原来的决定；并且
 - (b) to remove any doubt, may be the subject of an application for review under this instrument if it is a reviewable decision.
为消除任何疑问，如果是可复议的决定，则可成为根据本立法文件提出的复议申请的主题事项。

18 Material to be provided to student 提供给学生的材料

The Secretary to the Appeals Committee must provide the student applicant to the review with a copy of the material on which the Appeals Committee intends to rely no later than 5 working days before the day the application for review is to be heard.

在举行关于复议申请的听证之前，申诉委员会秘书必须至少提前 5 个工作日，向申请复议的学生提供复议委员会复议时所依据材料的副本。

19 Notification of hearing etc. 听证会通知等

- (1) Before the Appeals Committee hears the application for review, the student may, if the student wishes, tell the President of the relevant Students' Association about the hearing.
在申诉委员会举行复议申请听证会之前，如果学生愿意，可以将有关听证会的信息告知相关学生会的主席。
- (2) The Appeals Committee must:
申诉委员会必须：

-
- (a) fix a date, time and place for the hearing of the application for review; and
指定该复议申请听证会的日期、时间及地点；并
 - (b) give not less than 5 working days written notice of the date, time and place of the hearing to the student.
至少给学生 5 个工作日的听证会日期、时间和地点书面通知。

20 Decision whether to conduct oral hearing

决定是否进行口头听证会

- (1) The application for review may be decided with or without an oral hearing.
无论有或没有口头听证会，都可对复议申请做出决定。
- (2) In deciding whether the application for review is to be decided with or without an oral hearing, the Appeals Committee may take into account:
申诉委员会在决定是否进行口头听证会的决定时，可考虑：
 - (a) whether the parties are able to participate in an oral hearing within a reasonable time; and
双方能否在合理时间内参加口头听证会；以及
 - (b) whether an oral hearing would unnecessarily subject a party or a witness to stress; and
口头听证会是否会不必要地使当事方或证人承受压力；以及
 - (c) any other relevant factor.
任何其他相关因素。
- (3) The Chair of the Appeals Committee must decide how the review is to be conducted.
申诉委员会主席必须决定如何进行复议。

21 Applications for review relating only to penalty or other action taken

仅涉及处罚或采取的其他行动的复议申请

If the application for review relates only to the penalty imposed, or other action taken, under the Academic Misconduct Rule or the Discipline Rule, the Appeals Committee must consider only the question of the penalty or other action.
如果复议申请仅涉及《学术不端相关规则》或《纪律规则》规定的处罚或采取的其他行动，则申诉委员会仅应考虑处罚或其他行动的问题。

22 Hearing procedure

听证会程序

- (1) At the hearing of the application for review:
在复议申请的听证会中：
 - (a) the procedure to be followed is at the discretion of the Appeals Committee; and
须遵循的程序由申诉委员会酌情决定；并且
 - (b) the Appeals Committee:
申诉委员会：
 - (i) may inform itself on any matter in relation the review in any way it considers appropriate; and
可以按其认为适当的方式获取与该复议有关的任何事项的信息；并且

-
- (ii) is bound by the rules of procedural fairness but is not bound by rules of evidence; and
受程序正义规则约束，但不受证据规则约束；和
- (iii) must take into account any submission made by the student or the Registrar.
必须考虑学生或教务长提交的任何意见。
- (2) At the hearing of the application for review, the Registrar may:
在复议申请的听证会中，教务长可以：
- (a) appear in person or, with the express approval of the Appeals Committee, through an advocate; and
亲自出席，或在申诉委员会的明确批准下，通过辩护人出庭；并且
- [Note: The Registrar may appoint a nominee under section 28 (Nominees for Vice-Chancellor and Registrar) to appear in person for the Registrar.]
【注：教务长可根据第 28 章（校长和教务长的被提名）任命一名被提名人代替教务长亲自出席。】
- (b) call and question witnesses; and
传唤和询问证人；并且
- (c) make written or oral submissions.
提交书面或口头意见。
- (3) The hearing of evidence by the Appeals Committee may be adjourned from time to time and from place to place.
申诉委员的对证据听证会可以时不时休会，并更改场地。
- (4) Unless the Appeals Committee otherwise directs, a person is not entitled to be present at the hearing of the application for review unless the person is:
除非申诉委员会另有指示，否则除下列人士之外，任何人都无权出席复议申请的听证会：
- (a) a member of the Appeals Committee; or
申诉委员会委员；或
- (b) the Registrar or an advocate for the Registrar; or
教务长或教务长的辩护人；或
- (c) the student or the person nominated by the student under section 23(2) (Student's rights on review); or
该学生或该学生根据第 23（2）章（与复议有关的学生权利）提名的人；或
- (d) the Secretary to the Appeals Committee; or
申诉委员会秘书；或
- (e) a person giving evidence before the Appeals Committee; or
在申诉委员会面前作证的人；或
- (f) a person appointed under section 16(6) (Appeals Committee) in relation to the Appeals Committee.
根据第 16（6）章（申诉委员会）的规定任命到申诉委员会的人。
- (5) The hearing of the application for review is not ineffective only because of a formal defect or irregularity in the convening or conduct of the Appeals Committee.
如果申诉委员会在召集或进行听证时有不足或不规范的情况，则并不因此导致复议申请的听证无效。
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23 Student's rights on review

与复议有关的学生权利

- (1) At the hearing of the application for review, the student may:
在复议申请的听证会中，学生可以：
 - (a) appear in person; and
亲自出席；并且
 - (b) call and question witnesses; and
传唤和询问证人；并且
 - (c) make oral or written submissions.
提交口头或书面意见。

- (2) At the hearing of the application for review, the student may be accompanied by another person nominated by the student who may:
在复议申请的听证会中，该学生可以由该学生提名的另一人陪同，此人可以：
 - (a) observe the proceedings; and
旁观程序；并
 - (b) with the express approval of the Appeals Committee, act as an advocate for the student.
在申诉委员会的明确批准下，为学生辩护。

- (3) If the Appeals Committee gives an approval under subsection (2)(b) and the Registrar is not present at the hearing (in person or through an advocate), the Appeals Committee must immediately tell the Registrar about the approval and adjourn the hearing to allow the Registrar to appear.
如果申诉委员会根据第(2)(b)款给予了批准，并且教务长不在场（无论是亲自或是通过辩护人出席），则申诉委员会必须立即将其批准决定告知教务长，并休会，以便教务长可以出席听证会。

24 Non-appearance before Appeals Committee

缺席申诉委员会听证

- (1) This section applies to the application for review of the decision of the original decision-maker if the student:
如果学生出现下列情况，则本条适用于对原决策者的决定进行复议的申请：
 - (a) does not appear in person at the hearing of the application for review; and
没有亲自出席复议申请的听证会；并且
 - (b) is not otherwise represented at the hearing; and
没有以其他方式出席听证会；并且
 - (c) does not make a written submission under section 23(1)(c) (Student's rights on review).
没有根据第23(1)(c)章（与复议有关的学生权利）提交书面意见。

 - (2) The decision of the original decision-maker takes effect immediately after the conclusion of the hearing unless it has already taken effect.
原决策者的决定在听证会结束后立即生效（已经生效的除外）。
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25 Decision by Appeals Committee

申诉委员会的决定

- (1) After considering the application for review, the Appeals Committee may:
申诉委员在考虑复议申请后，可：
- (a) confirm the decision of the original decision-maker; or
确认原决策者的决定；
 - (b) vary the decision; or
更改决定；或
 - (c) set aside the decision and make a fresh decision in substitution for the decision set aside; or
撤销该决定并做出新的决定，以代替被撤销的决定；或
 - (d) set aside the decision.
撤销决定。
- (2) The Appeals Committee may:
申诉委员会可以：
- (a) accept an undertaking from the student; or
接受学生的承诺；或
 - (b) make recommendations arising from its consideration of the application for review, including recommendations for:
根据其对复议申请的考量提出建议，包括：
 - (i) counselling; or
建议；或
 - (ii) intervention; or
干预；或
 - (iii) corrective or other measures that should be taken.
应采取的纠正措施或其他措施。
- (3) The Appeals Committee may vary the decision under subsection (1)(b), or substitute a fresh decision under subsection (1)(c), only if the decision as varied, or the fresh decision, is a decision that the original decision-maker could have made.
申诉委员会可根据第（1）（b）款更改决定，或根据第（1）（c）款替换为新决定，但前提是更改后的决定或新决定必须是原决策者本可以做出的决定。
- (4) In deciding a question in relation to the penalty imposed, or other action taken, in relation to the student under the Discipline Rule, the Appeals Committee must take all relevant matters into account, including, for example, the following:
申诉委员会在决定根据《纪律规则》对学生施加的处罚或采取的其他行动有关的问题时，必须考虑所有相关事项，例如，包括以下内容：
- (a) the health and safety of students and staff of the University, and the protection of University property;
本校学生和教职员工的健康和安全，以及对大学财产的保护；
 - (b) the objectives of punishment, deterrence and rehabilitation;
处罚、威慑和改过自新的目标；
 - (c) the nature and severity of the student's misconduct;
学生不当行为的性质和严重性；

(d) the effect of the misconduct, including any loss, damage or harm caused to the University or its students, staff or property.

不当行为的后果，包括对大学或其学生，教职员工或财产造成的任何损失、损害或伤害。

(5) Without limiting subsection (4), the Appeals Committee may take into account any other finding of misconduct (however described) made in relation to the student and the action (if any) taken in relation to that finding.

在不限第（4）款的情况下，申诉委员会可考虑对学生所做的任何其他不当行为的调查结果（无论如何描述）以及针对该调查结果采取的行动（如有）。

(6) The decision of the Appeals Committee and the reasons for the decision must be given in writing to the student and the Registrar by the Secretary to the Appeals Committee within 10 working days after the day the decision is made.

申诉委员会的决定和做出决定的理由必须由申诉委员会秘书在做出决定之日起 10 个工作日内以书面形式提交给学生和教务长。

26 Undertaking by student

学生的承诺

(1) If the Appeals Committee accepts the student's undertaking under section 25(2)(a) (Decision by Appeals Committee):

如果申诉委员会根据第 25（2）（a）条接受学生的承诺（申诉委员会的决定）：

(a) the Appeals Committee must ensure that a written copy of the undertaking to the student and the Registrar; and

申诉委员会必须确保向学生和教务长提供书面承诺书；并且

(b) if the student contravenes the undertaking, the Appeals Committee may revoke its earlier decision and make any decision that it could have made under section 25(1).

如该学生违反该承诺，则申诉委员会可撤销其先前的决定，并根据第 25（1）章的规定做出决定。

(2) In deciding what action (if any) it should take under subsection (1)(b), the Appeals Committee may take into account the student's contravention of the undertaking and any explanation provided by the student for the contravention.

申诉委员会在决定应根据第（1）（b）款采取何种行动（如有）时，可考虑到学生对该承诺的违背行为以及该学生对该违背行为所作的任何解释。

(3) Subsection (2) does not limit the matters that the Appeals Committee must or may take into account.

第（2）款并不限制申诉委员会必须或可以考虑的事项。

27 Decision final

最终决定

The decision of the Appeals Committee is final.

申诉委员会的决定为最终决定。

Part/部分 8—Miscellaneous 其他

28 Nominees for Vice-Chancellor and Registrar 校长和教务长提名的人

- (1) A University official may, in writing, appoint a member of the staff of the University (the **nominee**) to exercise all or any of the official's functions under this instrument (other than this section).
本校官员可通过书面方式委任一名本校职员（**被提名人**），以行使该官员在本立法文件下（除本章之外）的全部或任何职能。
- (2) A function exercised by the nominee under the appointment is taken to have been exercised by the University official.
被提名人根据该项委任行使职能，会被视为是由该官员行使了职能。
- (3) This section does not prevent the University official from exercising a function in relation which the nominee has been appointed.
本章并不妨碍本校官员行使被提名人已获委任的职能。
- (4) In this section:
在本章中：

University official means:

本校官员指：

- (a) the Vice-Chancellor; or
校长；或
- (b) the Registrar.
教务长。

29 Certain functions not to be exercised personally by original decision-maker

某些职能不可由原决策者亲自行使

- (1) This section applies to a person in relation to a reviewable decision made personally by the person.
本条适用于亲自做出可复议决定的人。
- (2) The person must not personally exercise any function under any of the following provisions in relation to the reviewable decision:
根据以下任何规定，此人不得亲自行使与可复议决定有关的任何职能：
 - (a) section 12 (Rejection of invalid applications);
第 12 章（拒绝无效申请）；
 - (b) section 13 (Referral of application to Appeals Committee);
第 13 章（向申诉委员会转交申请）；
 - (c) section 16 (Appeals Committee);
第 16 章（申诉委员会）；
 - (d) section 22 (Hearing procedure);
第 22 章（听证会程序）；

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- (e) section 23 (Student's rights on review);
第 23 (2) 章 (与复议有关的学生权利)
 - (f) section 30 (Extension of time).
第 30 章 (延长时限)

30 Extension of time 延长时限

- (1) The Registrar may extend a time limit under this instrument.
教务长可延长此立法文件下的时限。
- (2) In deciding whether to extend a time limit, the Registrar must take into account:
在决定是否延长时限时, 教务长必须考虑:
 - (a) the reason why an extension is sought; and
申请延期的理由; 以及
 - (b) the period of extension; and
延长的时间; 以及
 - (c) the prejudice (if any) that will be caused by the granting of the extension.
批准延期而可能会引起的侵害。
- (3) An extension must be for no longer than is reasonably necessary.
延期不得超过合理需要的时间。
- (4) A time limit may be extended even though the time limit has expired.
即便已经超过了时限, 仍可行使延长时限的权利。

31 Service of notices etc. 递送通知等

- (1) This section applies to a notice or other document that is required or permitted to be served on an individual under this instrument (whether the word 'give', 'notify', 'send', 'tell' or another word is used).
本章适用于根据本立法文件向个人递送通知或其他文件 (无论使用“给予”、“通知”、“发送”、“告知”或其他词语)。
- (2) The document may be served on an individual:
文件可通过下列方式递送给个人:
 - (a) by giving it to the individual; or
递送给其本人; 或
 - (b) by sending it by prepaid post, addressed to the individual, to an address shown in the University's records as the individual's semester address, work address or permanent home address; or
通过预付信件的方式将其寄给此人本人, 寄到学校记录中显示的个人该学期地址、工作地址或永久家庭地址; 或
 - (c) by emailing it to:
通过发送电邮到:
 - (i) if the individual is a student at the University—an email address provided by the University to the individual; or
如果此人是本校的学生—发至本校提供给该名学生的电邮地址; 或

(ii) if the individual is not a student at the University—an email address otherwise recorded by the University as the individual’s email address.
如果此人不是本学的学生—则为学校记录中此人的电子邮件地址。

(3) A document served by post on an individual under subsection (2)(b) is taken to have been served on the day it would have been delivered in the ordinary course of post.

根据第(2)(b)款以邮递方式递送个人的文件，在以正常的邮递方式应该送达当日即被视为已送达。

(4) A document served by email on an individual under subsection (2)(c) is taken to have been served on the day it would be received in the ordinary course of email transmission.

根据第(2)(c)款以电子邮件递送给个人的文件，在以正常的电子邮件传送方式应该送达的当日，即被视为已送达。

32 Repeal etc. 废止等

(1) The *Appeals Rule 2017* is repealed.
*2017 年申诉规则*已废止。

(2) To remove any doubt, a reference in a rule, order or other document of the University to the **Appeals Rules** (whether with or without the year of its making or the year and number of the year of its making) includes a reference to this instrument.

为消除任何疑问，在大学的规则、命令或其他文件中提及 *申诉规则*（不论是否包含制定该规则的年份或制定该规则的年份和年数）的，均指本立法文件。

33 Transitional 过渡

(1) To remove any doubt, this instrument applies to a decision taken, or a proceeding commenced but not concluded, before the commencement of this section.

为消除任何疑问，本立法文件适用于在本章生效之前做出的决定，或已开始但尚未结束的程序。

(2) This section is additional to, and does not limit, the following provisions:
本章是对下列规定的补充，并且不对这些规定产生限制：

(a) the *Acts Interpretation Act 1901* (Cwlth.), section 7;
《1901 年法令解释法》（联邦）第 7 章；

(b) the Interpretation Statute, section 9.
《解释法规》第 9 章。

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