

EMERGENCY STATUTE

Section	Council
Contact	Governance and Assurance
Last Review	May 2022
Next Review	May 2027
Approval	C22/41
Effective date	20 May 2022

Purpose:

This Statute has been developed to ensure that appropriate decision-making authority is in place for Council and the Vice-Chancellor to act urgently in emergency situations.

Statute Provisions:

The University Council delegates authority to the Vice-Chancellor to take all steps necessary to protect life, prevent or limit further injury, prevent or limit harm to the environment and University infrastructure and assets, and to protect the University's core business of teaching and research in the lead up to, during and directly after an emergency.

In responding to an emergency, the Vice-Chancellor (or nominee) may sub-delegate this authority to appropriate responders and teams, as detailed in the Emergency Management Policy. Where the Vice-Chancellor is unavailable this authority falls to the Crisis Management Team Leader.

Where a pandemic, natural disaster, fire, or other emergency occurs the University Council, upon the advice of the Vice-Chancellor may, for such a period and on such terms as it thinks fit to accommodate the emergency, grant waivers to any student or group of students, or suspend the application of all or any part of any University Regulation or Statute or Policy, make decisions in relation to the operations (management, academic and research) of the university, or to close the University.

If the University Council cannot meet, the Vice-Chancellor is authorised to act independently and report his/her actions back to the Council as soon as practicable for review of the actions taken. This may include actions that would in normal circumstances fall outside of the Vice-Chancellor's delegated authority. Any decision made under this Statute shall be of immediate and continuing effect, but shall be subject to review by the Council.

Any directions given by a responding agency such as the NZ Police, or the National CDEM Controller or a CDEM Group or Local CDEM Controller during a declared state of emergency, take precedence over those of the Council and/or the Vice-Chancellor, or delegate.

Definitions:

Emergency: Emergency means a situation that is the result of any happening, whether natural or otherwise, and causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of people or property, or the continuity of university operations and requires a co-ordinated response.

[Includes, but is not limited to: any injury, trauma, harm, explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure or threat, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or threatening act.]

Audience:

All staff, students and general public.

Legal compliance:

Education and Training Act 2020

- Section 281 Duties of Councils: It is the duty of the council of an institution, in the performance of its functions and the exercise of its powers... (e) to ensure that the institution operates in a financially responsible manner that ensures the efficient use of resources and maintains the institution's long-term viability, and; (f) to ensure that proper standards of integrity, conduct, and concern for (i) the public interest; and (ii) the well-being of students attending the institution are maintained.
- 284 (1) the University is empowered to make Statutes and Regulations

Civil Defence and Emergency Management Act 2002: Provides for a state of local emergency to be declared; provides for certain people to be authorised to declare a state of local emergency; provides powers to the CDEM Group when a state of emergency is in force.

Related procedures / documents:

Emergency Management Policy
Strategic Emergency Management Framework
Campus Emergency Management Plans(s)

Document Management Control:

Prepared by: Director Governance & Assurance
Authorised by: Vice-Chancellor
Approved by: C22/41
Date issued: December 2014
Last review: May 2022
Next review: May 2027