

# Commercial Activities Policy (MPF1098)

## 1. Objective

The objective of this policy is to facilitate compliance with the [Guidelines concerning commercial activities in accordance with Part 6 Division 6 of the University of Melbourne Act 2009](#) (the Guidelines) in order to maximise the benefits and to minimise the risks to the University where the University or a controlled entity seeks to enter into a commercial activity or a controlled non-commercial activity.

## 2. Scope

2.1. This policy applies across the University.

2.2. The University also requires its controlled entities to be familiar with the Guidelines and follow certain reporting requirements as described in this policy.

## 3. Authority

This policy is made under the *University of Melbourne Act 2009* (Vic) (the Act) and the Council Regulation and supports compliance with the:

- (a) Guidelines;
- (b) *Financial Management Act 1994* (Vic); and
- (c) *Audit Act 1994* (Vic).

## 4. Policy

4.1. The University may, in accordance with the Act, Guidelines and this policy, participate in commercial activities and controlled non-commercial activities.

4.2. The University will ensure that commercial activities are planned and managed to ensure compliance with Guidelines 1-4 and, in the case of the University forming, participating in the formation of, or becoming a member of a controlled entity, Guideline 6.

4.3. The University will ensure that controlled non-commercial activities are planned and managed to ensure compliance, where applicable, with Guidelines 2 and 3.

## 5. Procedural principles

5.1. Proposals, or amendments to existing arrangements, for University participation in a commercial activity, require approval by Council subject to the following:

- (a) for commercial activities primarily for research purposes, the activity is first endorsed by the Finance Committee, in accordance with its terms of reference and delegated authority, on the recommendation of the Deputy Vice-Chancellor (Research); and
- (b) for all other commercial activities, the activity is first endorsed by the Finance Committee, in accordance with its terms of reference and delegated authority, on the recommendation of the Chief Financial Officer or the Vice-Chancellor.

5.2. The University Secretary is responsible for maintaining a register of commercial activities, and where applicable, controlled non-commercial activities, by the University and its controlled entities and providing a summary of the register in the Annual Report.

5.3. Boards of University-controlled entities are responsible for monitoring their commercial activities, and reporting on these as required to Council through the Finance Committee.

5.4. The University Secretary must, within the scope of the Act, Guidelines and this policy, set processes regarding the submission, assessment and recording of proposals, or amendments to existing arrangements, for University participation in commercial activities and controlled non-commercial activities.

## 6. Roles and responsibilities

<i>Role/Decision/Action</i>	<i>Responsibility</i>
Approve processes supporting this policy	<i>University Secretary</i>
Recommend proposals, or amendments to existing arrangements, for University participation in commercial activities primarily for research activities to the Finance Committee for endorsement to Council	<i>Deputy Vice-Chancellor (Research)</i>
Recommend proposals, or amendments to existing arrangements, for University participation in all other commercial activities to the Finance Committee for endorsement to Council	<i>Vice-Chancellor or Chief Financial Officer</i>
Endorse proposals, or amendments to existing arrangements, for participation in commercial activities to Council for approval	<i>Finance Committee</i>
Approve proposals, or amendments to existing arrangements for participation in commercial activities	<i>Council</i>

## 7. Definitions

### POLICY APPROVER

Council

### POLICY STEWARD

University Secretary

### REVIEW

This policy is to be reviewed by 19 April 2022.

### VERSION HISTORY

<b>Version</b>	<b>Approved By</b>	<b>Approval Date</b>	<b>Effective Date</b>	<b>Sections Modified</b>
1	Council	8 Oct 2012	8 Oct 2012	New policy.
2	University Policy Officer	5 Nov 2013	5 Nov 2013	Minor amendments - hyperlinks added to document references.

3	University Policy Officer	5 Nov 2013	5 Nov 2013	No changes. Version 2 archived in error.
4	Council	19 April 2017	19 April 2022	New version arising from the Policy Consolidation Project.