



Constitution

In 1971, the Archdioceses and Dioceses of Victoria and Tasmania, the Oblates of Mary Immaculate, the Salesians of Don Bosco, the Missionary Society of St Paul, the Society of St Paul (Publications) and the Confraternity of Christ the Priest agreed to act together in a confederated body in academic matters. In 1972, the central body of this federation was then formed and is known as Catholic Theological College. In 1973, the College became a College of the University of Divinity, which was then known as the Melbourne College of Divinity. Since then, five other Religious Institutes have become affiliated members of the College: the Conventual Franciscan Friars (1996), the Dominican Friars (2009), the Missionaries of God's Love (2014), the Society of Jesus (2016) and the Society of the Divine Saviour (2017). The Society of St Paul (Publications), the Missionary Society of St Paul and the Confraternity of Christ the Priest have ceased to be affiliated members of the College.

The following Statutes have been written and are to be interpreted according to the mind and spirit of the documents of the Second Vatican Council and the norms laid down in *Formatio theologica* (1976), *Pastores dabo vobis* (1992), *The Gift of the Priestly Vocation: Ratio Fundamental Institutionis Sacerdotalis* (2016) and *Veritatis Gaudium* (2017).

1. **Catholic Theological College** is the central body in a federation of autonomous seminaries, diocesan and religious, in which a seminarian's "whole education is to have as its object to make him a true shepherd of souls on the model of Our Lord Jesus Christ, teacher, priest and shepherd" (*Optatam totius*, 14). It is a separate entity, distinguished from the affiliated seminaries, which remain independent but which agree to act together in a federated body as set out in these Statutes.
2. The College exists:
 - (a) to cultivate and promote through academic research the theological sciences and to deepen knowledge of Christian revelation and of matters connected with it;
 - (b) to teach students thoroughly, according to Catholic doctrine, in order to prepare them to face their tasks properly and to promote the continuing permanent education of the ministers of the Church;
 - (c) to collaborate, in close communion with the hierarchy, with the local and universal Church, in the work of spreading the Gospel.

Therefore, this College exists for the academic formation of ordination candidates, religious and lay people, for the pastoral service of the Church, principally in Victoria and Tasmania.

3. Diocesan Bishops and Major Superiors whose seminaries are affiliated with the College are expected to make some provision towards the required academic staff and to foster cooperation in the use of library facilities.

4. The use of the joint library facilities is regulated in accordance with the agreement between the College and the affiliated seminaries, which retain ownership, dominion and financial responsibility for their own libraries, which form constituent parts of the Catholic Theological College Library.
5. Additional seminaries may be approved by the Senate of the College to affiliate with the College with the same rights and privileges as those of the founding seminaries. Any seminary may cease to be affiliated with the College by voluntary withdrawal on twelve months' notice. Such a seminary may subsequently re-apply to the Senate for a resumption of affiliation with the College.
6. The **Senate** of the College consists of:
 - (a) The Diocesan Bishops of the Sees in Victoria and Tasmania, each of whom may attend meetings personally or appoint a delegate with full power to act in his name;
 - (b) The Major Superiors whose seminaries are affiliated with the College, each of whom may attend meetings personally or appoint a delegate with full power to act in his name;
 - (c) The Master of the College, the Deputy Master, and two academic staff members elected by and from those determined by the Academic Board to be eligible for appointment as Head of Department; and
 - (d) up to six members appointed for a term of four years, each of whom may be re-appointed, normally for no more than two consecutive terms.
7. The Academic Dean, the Associate Dean (Postgraduate and Research) and the Heads of Department attend Senate meetings as required by the Senate, but do not have voting rights.
8. The process for appointing a member as described in Section 6(d) is as follows:
 - (a) Six months before the final meeting of the Senate each year, the President of the College (or his delegate) shall convene a meeting of a Nominations Committee comprising:
 - i. the President of the College, or a person nominated by the President;
 - ii. the Vice-Chancellor of the University of Divinity, or a person nominated by the Vice-Chancellor; and
 - iii. the Master of the College.
 - (b) The Nominations Committee, considering whether there will be actual or anticipated vacancies during the coming year, may recommend whether or not new appointments should be made.
 - (c) In the event of the Nominations Committee recommending that one or several appointment(s) be made, the Committee shall prepare a list of potential candidates to be considered for appointment to the Senate. The list is to be prepared in the light of:
 - i. the Senate's current membership;
 - ii. the current strategic plans of the College and the University;
 - iii. the expertise required by the Senate as a whole; and
 - iv. ensuring that the Senate as a whole reflects the broad range of the College's stakeholders and partners.
 - (d) The Senate shall appoint members after considering the recommendations of the Nominations Committee.

9. The Archbishop of Melbourne is the President of the College and Chairman of the Senate. He calls meetings of the Senate at least twice a year and presides over them. In his absence, a deputy appointed by him presides in his place. During a vacancy of the See of Melbourne, the most senior bishop present presides.
10. The Senate is the supreme governing body of the College. It accepts, amends or rejects the advice of the Academic Board or returns it for review. The Senate appoints and employs academic staff and, saving the legitimate academic autonomy of the Academic Board, approves units. The Senate hears appeals from the Master or any member of the academic staff with regard to the policy and practice of the Academic Board.
11. The Senate determines financial policy and is responsible for the ratification of the annual budget. The Senate regulates the payment of academic staff, and sets all fees.
12. The College, as a college, may confer awards and diplomas as approved by the Senate.
13. The **Academic Board** consists of:
 - (a) the Master;
 - (b) the Deputy Master;
 - (c) the Academic Dean
 - (d) the Associate Dean (Postgraduate and Research);
 - (e) the Heads of Department;
 - (f) one other elected academic staff member from each department; and
 - (g) two elected students.

The Board may co-opt up to three other members. The elected staff member is elected from and by those teaching in the department.
14. Members of the Academic Board serve for a period of four years, except for the student members who serve for a period of twelve months. These terms can be multiple. Membership of the Board expires when an elected member ceases to be an academic staff member or a student of the College. In the event of a casual vacancy in the Academic Board, the vacancy is filled by means of an election for the period remaining.
15. The Academic Board, while respecting the principle of subsidiarity with regard to the departments and their heads, makes general academic policy with regard to teaching and research, maintaining a satisfactory standard of studies, assisting and encouraging research, approving curricula presented to it by the departments and supervising the discipline of studies, examinations and assessments.
16. All meetings of the Senate and the Academic Board require a quorum of two-thirds of the members of the particular body for the validity of their acts.
17. The **Master** is a priest appointed by the Senate, for a term of four years. He may be reappointed and is never the Academic Dean.

18. The process for appointing a Master is as follows:
- (a) Twelve months before the Master's term is due to expire, or as soon as possible after the Master's term has expired because of resignation or death, the Senate shall appoint a Returning Officer for the appointment of the Master, and the President shall write individually to the academic staff, the Deans of Studies of the affiliated seminaries, the President of the Students' Representative Council and the Librarian of Mannix Library, inviting each to nominate confidentially up to three priests whom they would consider suitable to be appointed Master.
 - (b) The President arranges the received nominations in alphabetical order, and forwards them to the Returning Officer.
 - (c) The Returning Officer advises each candidate of his nomination and asks whether he is willing to accept nomination.
 - (d) The Returning Officer sends the list of candidates who have accepted nomination, together with a curriculum vitae for each, to each member of the Academic Board.
 - (e) The Academic Board, after discussion, elects up to three candidates, using the method of election described in cann. 164 ff. of the Code of Canon Law.
 - (f) The Returning Officer sends the list of candidates and the curriculum vitae for each, to each member of the Senate, and advises the Senate of the number of votes each candidate received.
 - (g) The Senate may invite additional nominations or applications.
 - (h) The Senate, after discussion, elects the Master, using the method of election described in cann. 164 ff. of the Code of Canon Law.
19. The Master is the Chairman of the Academic Board and the chief executive officer of the College. In accordance with the directives of the Senate and Section 15 above, the Master is responsible for the making of policy with regard to normal academic, administrative, disciplinary and financial matters. In particular, he
- (a) directs, promotes and co-ordinates the well-being of the academic community;
 - (b) represents the College to the general public, to civil and ecclesiastical authorities and in educational circles;
 - (c) convokes the Academic Board and presides over it at least three times a year;
 - (d) is responsible for the temporal administration; and
 - (e) refers more important matters to the President and the Senate.
20. At his discretion, the Master convenes meetings of the College Executive, consisting of the Deputy Master, the Academic Dean and the Associate Dean (Postgraduate and Research) to assist him in the conduct of the College.
21. The Master convenes meetings of all academic staff for consultation and information. Such meetings are also designed to foster the academic and cultural life of the College.
22. The Master convenes each semester a consultative meeting of the Deans of Studies of the affiliated seminaries, the Heads of Department, the Academic Dean and the Associate Dean (Postgraduate and Research) to review the progress of students and related matters.

23. The Master is responsible for the discipline of the students and may dismiss students under the norms established by the Senate.
24. The Master is responsible for the financial administration of the College in consultation with the appropriate authorities appointed by the Senate for this purpose.
25. The **Deputy Master** acts in the Master's place, in his absence, unless the Senate has made other provisions. The Deputy Master is appointed by the Senate for a term of four years, and may be reappointed. In the event of a casual vacancy, a Deputy Master is appointed by the Senate for the remainder of the term. The Deputy Master is never the Academic Dean.
26. The process for appointing a Deputy Master is as follows:
 - (a) Six months before the Deputy Master's term is due to expire, or as soon as possible after the Deputy Master's term has expired because of resignation or death, the Senate shall appoint a Returning Officer for the appointment of the Deputy Master, and the President (or his delegate) shall write individually to the academic staff, the Deans of Studies of the affiliated seminaries, the President of the Students' Representative Council and the Librarian of Mannix Library, inviting each to nominate confidentially up to three candidates whom they would consider suitable to be appointed Deputy Master.
 - (b) The President (or his delegate) arranges the received nominations in alphabetical order, and forwards them to the Returning Officer.
 - (c) The Returning Officer advises the candidates individually of their nomination and asks whether each is willing to accept nomination.
 - (d) The Returning Officer sends the list of candidates who have accepted nomination, together with a curriculum vitae for each, to each member of the Academic Board.
 - (e) The Academic Board, after discussion, elects up to three candidates, using the method of election described in cann. 164 ff. of the Code of Canon Law.
 - (f) The Returning Officer sends the list of candidates and the curriculum vitae for each, to each member of the Senate, and advises the Senate of the number of votes each candidate received.
 - (g) The Senate may invite additional nominations or applications.
 - (h) The Senate, after discussion, elects the Deputy Master, using the method of election described in cann. 164 ff. of the Code of Canon Law.
27. The **Academic Dean**, the officer of the Master in academic matters, is appointed by the Senate. The Academic Dean is normally appointed for four years. However, if this term of office is due to conclude at the same time as that of the Associate Dean (Postgraduate and Research), it may be extended for a further year. In the event of a casual vacancy, an Academic Dean is appointed by the Senate for a new term of four years.

28. In agreement with the Master and the Academic Board and in addition to the provisions of Sections 7, 13, 20, 22 and 49, the Academic Dean is responsible for:
- (a) coordinating and progressing the development and implementation of academic policy, procedures and quality assurance for the College;
 - (b) academic advice, enrolment, progress and graduation of students in relation to undergraduate studies;
 - (c) advising staff on academic policy, procedures and quality assurance;
 - (d) matters set out in the Position Description for University of Divinity Academic Deans;
 - (e) representing the College to the University of Divinity in academic matters; and
 - (f) other matters as shall from time to time be agreed by the Master and Academic Board.
29. The process for appointing an Academic Dean is as follows:
- (a) Six months before the Academic Dean's term is due to expire, or as soon as possible after the Academic Dean's term has expired because of resignation or death, the Senate shall appoint a Nomination Committee to make a recommendation to it concerning the appointment of an Academic Dean.
 - (b) The Nomination Committee shall be chaired by the Master, and shall have at least two other members, including one member of Senate and one member of Academic Board.
 - (c) The Nomination Committee invites advice from at least those eligible to nominate candidates for Master, as specified in Section 18(a) above.
 - (d) The Nomination Committee undertakes whatever other consultation and recruitment processes it deems to be appropriate.
 - (e) The Nomination Committee obtains the consent of the candidate(s) it intends to recommend and sends the list of candidates and the curriculum vitae for each, to each member of the Senate.
 - (f) The Senate may invite additional nominations or applications.
 - (g) The Senate, after discussion, elects the Academic Dean, using the method of election described in cann. 164 ff. of the Code of Canon Law.
30. The **Associate Dean (Postgraduate and Research)**, the officer of the Master in academic matters relating to postgraduate studies and research, and the implementation of postgraduate and research policy, is appointed by the Senate. The Associate Dean (Postgraduate and Research) is normally appointed for four years. However, if this term of office is due to conclude at the same time as that of the Academic Dean, it may be extended for a further year. In the event of a casual vacancy, an Associate Dean (Postgraduate and Research) is appointed by the Senate for a new term of four years.

31. In agreement with the Master and the Academic Board, and in addition to the provisions of Sections 7, 13, 20, 22 and 49, the Associate Dean (Postgraduate and Research) is responsible for:
- (a) advising students about postgraduate and research studies;
 - (b) enrolment of students in postgraduate and research awards;
 - (c) advising and supporting staff in research activities and supervision;
 - (d) the development and implementation of policy regarding postgraduate studies and research;
 - (e) representing the College to the University of Divinity in all academic matters regarding postgraduate studies and research;
 - (f) matters set out in the Position Description for University of Divinity Research Coordinators; and
 - (g) other matters as shall from time to time be agreed by the Master and Academic Board.
32. The process for appointing an Associate Dean (Postgraduate and Research) is the same as that specified for the appointment of an Academic Dean in Section 28 above.
33. **The Academic Records Office** is the principal administrative arm of the College acting under the authority of the Master and under the delegated direction of the Academic Dean. The staff of the Academic Records Office files and keeps all records, provides administrative support to the Master, exercises responsibilities for student enrolments, invoices students, attends to College publicity, acts as the first point of contact for students inquiring about studying at Catholic Theological College and provides administrative support to the Master and the College Executive.
34. The departments are organised according to the following areas of study: Philosophy, Biblical Studies, Systematic Theology, Church History, Moral Theology and Canon Law, and Pastoral and General Studies.
35. The **Head of Department** is appointed by the Master for a term of four years from and after considering the persons presented by those appointed to teach in the department, according to the procedures set by the Academic Board. The Head of Department arranges in consultation with the Master, the Academic Dean and colleagues in the department the units to be taught and examined, subject to the appropriate approvals. In collaboration with the Master, the Head is also responsible for proposing to the Academic Board the names of new members of the Academic Staff.
36. **Academic Staff** are appointed by the Senate, on presentation by the Master on behalf of the Academic Board, after consultation (where applicable) between the Master and the appropriate Bishop or Major Superior.

37. To be appointed as a member of the academic staff of the College, a person must
- (a) be distinguished by sound doctrine, solid learning, an upright character, a sense of responsibility and devotion to duty;
 - (b) possess the appropriate doctorate or its equivalent or academic achievement of distinction;
 - (c) have shown evidence of capacity for academic research, especially by published work; and
 - (d) have demonstrated teaching ability.

In selecting academic staff, thorough care is taken to appoint the best available individual, after due consideration of all four criteria and in the light of the theological needs and pastoral realities of the Catholic Church in Victoria and Tasmania and the intellectual and cultural temper of Australian Society.

38. Those who teach matters touching on faith and morals are to be conscious of their duty to carry out this work in full communion with the authentic magisterium of the Church, above all with that of the Roman Pontiff. Just freedom should be acknowledged in research and teaching so that due progress may be achieved in understanding the truths of divine revelation. This freedom in research and teaching is based on fidelity to God's Word as understood and interpreted by the Church's magisterium.
39. Academic staff are to be sufficient in number to develop and administer the required studies and to foster the development of the individual disciplines and the proper education of the students.
40. Academic staff should have sufficient freedom to pursue their duties in teaching and research.
41. The Senate determines conditions under which professional development of academic staff is provided.
42. In matters of shared professional interest, the academic staff are to collaborate with each other and with the academic staff of other institutions, especially with other Colleges of the University of Divinity.
43. There may be visiting academic staff who are invited to teach in particular units. A guest lecturer may be authorized by the Master in consultation with the Head of Department.
44. The appointment as a member of the academic staff of one who is not a Catholic requires the permission of the President.
45. A member of the academic staff, with the consent of the Bishop or Major Superior where required, may terminate his or her appointment with the appropriate notice or by mutual agreement between the member of the academic staff on the one hand and the Master and the Head of Department on the other.
46. As provided in cann. 192–193 of the Code of Canon Law, a person appointed to an office under this constitution may be removed from that office. If the competent authority considers there may be cause for such a removal, the principles of cann. 1740–1745 of the Code of Canon Law should be followed as closely as possible, after obtaining canonical and civil law advice.

47. The suspension and dismissal of a member of the academic staff, especially in matters concerning doctrine, is regulated as follows:
- (a) an attempt should be made to resolve the matter privately between the Master and/or Head of Department and the person concerned;
 - (b) if this proves impossible, the matter is to be referred to a committee appointed by the Academic Board;
 - (c) if this fails, the matter is to be referred to the Senate who shall examine it with the assistance of expert advisers, who may be drawn from within the College or elsewhere.
- The possibility remains open for recourse to the Holy See, always giving the opportunity for the member of the academic staff to explain and defend himself or herself. In cases of greater seriousness or urgency, the Senate may suspend the member of the academic staff for the duration of the regular procedure.
48. The College, as distinct from the affiliated seminaries, is open to all, whether clerical, religious or lay, who can satisfactorily establish their suitability in the judgment of the appropriate authority, and have satisfied, in the case of degree candidates, the admission requirements of the University of Divinity.
49. The Master, the Academic Dean and the Associate Dean (Postgraduate and Research) oversee the enrolment of students, in accordance with the policies made by the Academic Board.
50. Students who are members of the affiliated seminaries are presented for enrolment by their Dean of Studies. Other students may be asked to produce an appropriate letter of reference.
51. A student has the right of appeal. The process of appeal is set out in the relevant University of Divinity policies.
52. These Statutes may be amended or modified by the Senate. The Senate requires thirty days' notice of motion in writing. The Academic Board may submit proposals for amending these Statutes to the Senate. The Board requires fifteen days' notice of motion in writing. No amendment or modification to these Statutes will be effective unless and until it has received the written approval of the Archbishop of Melbourne.
53. The Academic Board makes its own regulations for academic matters and requires fifteen days' notice of motion in writing.

Approved by the Senate of Catholic Theological College: 25 June 1998

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9 March 2018, 8 November 2018*