



# Rule for the Use of the Seal & for the Execution of Documents

[This Rule must be read together with the [Procedures for the Use of the University Seal and for the Execution of Documents](#)]

1. The Chancellor, the Deputy Chancellor, the Vice-Chancellor and the Chair of the Finance Committee (sealholders) will be the custodians of the University's seal.
2. Certificates for a degree or diploma will carry the seal of the University attested by the signatures of the Chancellor and the Vice-Chancellor. For this purpose it will be permissible for both the seal and the signatures to be reproduced in facsimile.
3. Subject only to compliance with Section 4(5) of the *University of Adelaide Act 1971 (Act)*:
  - a. Documents requiring registration with the Lands Titles Office under the Real Property Act 1886 (SA) may be executed by the Vice-Chancellor on behalf of the University, and witnessed in accordance with the requirements of the Real Property Act.
  - b. Where the Lessee does not intend to register the documentation with the Lands Titles Office, the Real Property Act 1886 (SA) requires the University to execute the document under seal. The seal is affixed to such document in the presence of one sealholder and attested by his or her signature and the signature of the officer who affixed the seal. The sealing of the document must be reported to the Council at its next meeting.
4. Subject to clause 2, use of the University's seal is mandatory only where the law requires it to be used. In those cases, the following clauses 5 and 6 apply to determine who may authorise use of the University's seal, and the requirements for witnessing the affixation of the seal.
5. Where the law requires a document to be executed under the seal of the University, and either the document, or the transaction to be effected by the document falls within a class of documents or transactions as to which the Council has expressly reserved to itself the power of approval, then:
  - a. In urgent cases:

If at least two of the sealholders are satisfied that:

    - (i) execution of the document is required prior to the next anticipated meeting of the Council;
    - (ii) Section 4(5) of the Act has been complied with; and
    - (iii) the Council is likely to approve the sealing of the document,

then those sealholders may authorise the execution of the document under the seal of the University. The affixation of the seal must take place in the presence of the authorising sealholders and must be attested by their signatures, and the signature of the officer who affixed the seal. The execution of the document in this manner must be reported to the Council at its next meeting; and

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b. *In other cases:*

In all other cases coming within this clause 5, the seal may be affixed to the document only by authority of a resolution of the Council, in the presence of one sealholder, and attested by his or her signature and the signature of the officer who affixed the seal.

6. Where the law requires a document to be executed under the seal of the University, but neither the document, nor the transaction to be effected by the document falls within a class of documents or transactions as to which the Council has expressly reserved to itself the power of approval, then the document may be executed by affixing the seal with the authority and in the presence of two sealholders, and attested by their signatures and the signature of the officer who affixed the seal.
7. In all cases not covered by clauses 2, 3, 4, 5 and 6:
- a. the Vice-Chancellor may execute documents on behalf of the University (but subject to the approval of Council in those cases in which the Council has, by direction to the Vice-Chancellor, expressly reserved to itself the power to approve execution of the document); and
  - b. the Vice-Chancellor may, within limits from time to time prescribed by the Council in directions given to the Vice-Chancellor for that purpose, delegate the power to execute documents on behalf of the University.
8. The University may execute a document as a deed if the document is expressed to be executed as a deed and is executed in accordance with this Rule.

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Approved by Council on 28 June 2010.