

# **TERMS OF REFERENCE OF THE SOUTHERN CROSS BIOETHICS INSTITUTE**

## **1. Name**

The name of the Institute shall be "Southern Cross Bioethics Institute" hereinafter called "the Institute", and will operate and function under the auspices of Southern Cross Homes Inc.

## **2. Statement Of The Institute's Philosophy And Principles**

The philosophy and principles of the Institute are based on:-

- (a) respect for agreed human values expressed as inviolable and inalienable human rights, which may be found in the U.N. Universal Declaration of Human Rights 1948, in the various codes of medical ethics, and in the principal religious and philosophical traditions which have shaped the various cultures which profess adherence to the Universal Declaration of Human Rights 1948.
- (b) a commitment to the enunciation of public policy based upon those agreed human values, expressed as human rights.
- (c) a commitment to the furtherance of the legal protection of the human rights of all members of the human race.
- (d) the acceptance of the legitimacy and benefit of all scientific medical labours, including biomedical research and reproductive technology, which are carried out within an ethical framework which respects human rights.

## **3. Objects**

The Institute shall:

- (I)
  - (a) promote its philosophy and principles;
  - (b) take a particular and special interest in all bioethical issues affecting the care of infirm persons, including the just distribution of community resources for the proper care of the infirm, the human rights, duties and obligations of residents and staff in nursing homes and hostels, and the human rights, duties and obligations of the terminally or chronically ill and those who care for them;
  - (c) foster a greater interest in and awareness of the developments in the field of bioethics;
  - (d) engage in bioethical research;
  - (e) provide resource materials in bioethics;
  - (f) prepare and recommend bioethical guidelines for medical research practice and issue adequate documentation to support them;
  - (g) publish reading, educational and other materials and programmes which deal with bioethics and which are based on its stated philosophy and principles;
  - (h) organise academic and non-academic courses in bioethics;
  - (i) make public-policy assessments in all relevant areas of bioethics including those pertaining to the beginning of life, the prevention of conception, the nurture of life, the manipulation of life and the quality of human life, including the rights of patients, doctor-patient relationships, informed consent, the allocation of financial resources, and transplants;

- (j) (A) co-operate on a national and international level with other persons, organisations, institutions and churches in the pursuance of the above objects and provide, if possible, scholarships and/or facilities for selected persons engaged in bioethical studies;
  - (B) provide the opportunity for organisations and institutions throughout the world, which study, research and pursue bioethical issues, to affiliate with the Institute for the purposes of mutual co-operation and service. Requests for affiliation should be presented by the Director of the Institute to the Board of Management for the latter's endorsement (see also clause 9, of these Terms of Reference), and subject to ratification by the Board of Southern Cross Homes Inc.;
  - (k) purchase or acquire suitable research materials, books, journals and other means for its proper operation and conduct;
- (II) In the event that the Institute proposes to pursue objects other than those stated herein, the Director shall first consult the Board of Management of the Institute and obtain the approval of the said Board.

#### **4. Council Of The Institute**

(a) Function:

The Council is to be in charge of the academic development of the Institute.

(b) Membership:

The membership of the Council shall consist of twelve (12) voting members and the following ex officio members, i.e. - one (1) member of the Board of Southern Cross Homes Inc. or his representative, and the Director.

(c) Appointment:

The members of the Council shall be appointed annually by the Board of Southern Cross Homes Inc., after consultation with the Director of the Institute.

(d) Meetings:

The Council shall meet at least half-yearly.

#### **5. Board Of Management**

(a) Function -

The Board of Management shall be in charge of management policies and affairs of the Institute, (subject to the budgetary guide-lines determined by the Board of Southern Cross Homes Inc.) which include:-

- i) the approval of the funding of recommended research and education programmes of the Institute;
- ii) the preparation of the annual budget of the Institute in consultation with the Director of the Institute;
- iii) the approval of the appointment (including terms of contract) of staff recommended by the Director of the Institute.

The Board of Management shall not enter into contractual arrangements without the consent of the Board of Southern Cross Homes Inc., or its Chief Executive Officer.

(b) Membership -

The membership of the Board of Management shall consist of seven persons to be elected by the Board of Southern Cross Homes Inc, and ex officio the Chairman of the Board of Southern Cross

Homes Inc., the Director, and other such members of staff as the Board of Management shall determine.

- (c) The Board of Management shall elect a Chairman to serve for a period of twelve months. The Chairman may appoint a chairman to act in his or her absence, otherwise the Board shall elect an acting Chairman as necessity requires.
- (d) Term of Appointment -  
The members of the Board of Management shall be appointed annually.
- (e) Voting -  
Each member of the Board of Management shall be entitled to speak and to vote. The Chairman of the Board shall have a deliberative and casting vote.
- (f) Meetings -  
The Board of Management shall meet at least quarterly.
- (g) Accountability -  
The Board of Management is accountable to the Board of Southern Cross Homes Inc though the Chief Executive Officer of Southern Cross Homes Inc.

## **6. Panel Of Consultants**

- (a) The Institute shall have a multi-disciplinary panel of consultants being persons belonging to the various professions and/or working in recognised institutions of higher learning both within and outside Australia, and who have a reputation of being specialists in their field.
- (b) The Panel of (academic) consultants shall serve the Institute in an advisory capacity as requested by the Director of the Institute. Individual consultants may be appointed by the Board of Southern Cross Homes Inc. on the advice of or after consultation with, the Director of the Institute.
- (c) Consultants shall be appointed for a period of two (2) years.
- (d) Travelling and other expenses directly related to services of consultants requested by the Institute shall be subject to the approval of the Board of Management of the Institute.

## **7. Director**

- (a) The Director shall be appointed by the Board of Management of the Institute in consultation with the Council of the Institute. The Director shall be responsible for the day to day administration of the Institute in accordance with the administrative and budgetary guide-lines determined by the Board of Management of the Institute.
- (b) The Director shall implement the "objects" of the Institute as described in Clause 3.
- (c) The Director shall be accountable to the Board of Management of the Institute.
- (d) The Director shall provide to the Council and Board of Management of the Institute, an Annual Report of the activities of the Institute over the preceding twelve months, and shall provide an interim report of the activities of the Institute every six (6) months.

## **8. Other Officers**

- (a) Research fellows (paid or otherwise) with appropriate qualifications, or other staff, may be appointed with the approval of the Board of Management of the Institute. Approval of the terms of the contract with such persons by the Board of Management of the Institute shall be sought and obtained by the Director.

- (b) Research Assistants, library personnel, secretarial help and other workers may be appointed by the Director. In every case, whether honoraria for services or payment for employment are to be made or not, such appointments must be ratified by the Board of Management of the Institute.

## **9. Affiliation And Co-operation With Other Institutions**

The Institute shall seek affiliation and co-operation with:-

- (a) Bioethics Institutes within and outside Australia for the purposes of learning and sharing information and findings.
- (b) Academic Institutions within and outside Australia which foster the study of Bioethics as an accredited subject in the framework of and in relation to, various disciplines, eg theology, philosophy, medicine, law, social science and others.
- (c) Colleges of Advanced Education and Nursing Schools within and outside Australia with the purpose of seeking opportunities for sharing appropriate research projects and providing bioethics courses.

## **10. Accreditation**

The Institute, as an independent, non-sectarian, autonomous Institution committed to bioethical research and studies, shall seek and maintain accreditation appropriate to its academic standards for the benefit of under-graduate and post-graduate students who attend courses and seminars provided by the Institute.

ADOPTED BY THE BOARD OF SOUTHERN CROSS HOMES INC.

28th October, 1987.

Amended 26th October, 1988 and 24th February, 1993.

P Taylor, AM, OBE, KSG  
Chairman

B J Pittman  
Chief Executive Officer