

Passed by both Houses



New South Wales

University of Western Sydney Amendment Bill 2000

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2000*



New South Wales

University of Western Sydney Amendment Bill 2000

Act No , 2000

An Act to amend the *University of Western Sydney Act 1997* to make further provision for the structural framework of the University of Western Sydney; and for other purposes.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *University of Western Sydney Amendment Act 2000*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of University of Western Sydney Act 1997 No 116

The *University of Western Sydney Act 1997* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Omit the definitions of *Council* and *University Member* from section 3 (1).

[2] Section 3 (2)

Omit “become a University Member, or a part of,”.
Insert instead “become a part of”.

[3] Section 5 Establishment of University

Omit section 5 (b).

[4] Section 7

Omit the section. Insert instead:

7 Campuses of the University

The University has the following campuses and may have other campuses:

Bankstown

Blacktown

Campbelltown

Hawkesbury

Parramatta

Penrith

Note. Before the substitution of this section by the *University of Western Sydney Amendment Act 2000*, the University’s structure was that of a federation consisting of the office of the Vice Chancellor and the University Members (comprising the University of Western Sydney, Hawkesbury, the University of Western Sydney, Macarthur, and the University of Western Sydney, Nepean).

[5] Section 12 Membership of Board

Omit section 12 (3) (c). Insert instead:

- (c) the Deputy Chancellors, and

[6] Section 12 (7)

Omit section 12 (7). Insert instead:

- (7) No more than 2 persons may hold office at any one time as appointed members under subsection (6).

[7] Section 14 Deputy Chancellors

Omit section 14 (1). Insert instead:

- (1) The Board is to elect 2 persons (whether or not members of the Board) to be Deputy Chancellors of the University. Whenever a vacancy in the office of a Deputy Chancellor occurs, the Board is to elect a person (whether or not a member of the Board) to fill the vacancy.
- (2) A Deputy Chancellor, unless he or she sooner resigns as Deputy Chancellor, holds office for such period (not exceeding 4 years), and on such conditions, as may be prescribed by the by-laws.

[8] Section 14 (2), (3)

Re-number existing subsections (2) and (3) as subsections (3) and (4) respectively.

[9] Section 15 Vice-Chancellor

Omit section 15 (5). Insert instead:

- (5) The Vice-Chancellor is a member of every committee that is established by the Board or the Vice-Chancellor.

[10] Section 16 Councils of University Members

Omit the section.

[11] Section 17 Chairs of Councils

Omit the section.

[12] Section 18 Principal executive officers of University Members

Omit the section.

[13] Section 22 Powers of Board

Omit section 22 (1) (d).

[14] Section 22 (1) (i)

Omit “branches and colleges”.

Insert instead “branches, campuses and colleges”.

[15] Section 23 Delegation

Omit section 23 (a).

[16] Section 38 Limited tenure in certain positions

Omit section 38 (1). Insert instead:

- (1) This section applies in respect of the following positions:
 - (a) Chancellor,
 - (b) Deputy Chancellor,
 - (c) appointed member of the Board,
 - (d) elected member of the Board.

[17] Section 38 (6)

Omit the subsection. Insert instead:

- (6) For the purposes of subsection (5), the maximum single term of office for a position is as follows:
 - (a) in the case of the Chancellor—4 years,
 - (b) in the case of a Deputy Chancellor—4 years,
 - (c) in the case of an appointed member of the Board—4 years,

- (d) in the case of an elected member of the Board referred to in section 12 (5) (a), (b), (c) or (d)—2 years,
- (e) in the case of an elected member of the Board referred to in section 12 (5) (e)—4 years.

[18] Section 40 By-laws

Omit “, a Council” from section 40 (1) (c)–(i) wherever occurring.

[19] Section 40 (1) (x)

Insert “campus or” before “college”.

[20] Section 40

Omit the note. Insert instead:

Note. This Act contains other by-law making powers, including:

- (a) section 15 (6), which allows the by-laws to provide for a different title for the position of Vice-Chancellor,
- (b) section 20 (3), which allows the by-laws to provide for the constitution of the Academic Senate.

[21] Section 41 Rules

Insert “14 (2),” after “13 (2),” in section 41 (1).

[22] Schedule 1 Provisions relating to members and procedure of Board

Omit “the member” from clause 3 (2).

Insert instead “a member”.

[23] Schedule 4 Savings, transitional and other provisions

Omit clause 1 (1). Insert instead:

- (1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of the following Acts:

 this Act,

University of Western Sydney Amendment Act 2000.

[24] Schedule 4, Part 3

Insert after clause 19:

Part 3 Provisions consequent on enactment of University of Western Sydney Amendment Act 2000

20 Degrees and other awards conferred by University Members

For the purposes of the operation of section 3 (2) after the commencement of the amendment made to that subsection by the *University of Western Sydney Amendment Act 2000*, an institution or body that was a University Member (pursuant to this Act or otherwise) before that commencement is taken to have become a part of the University when it became a University Member.

21 Deputy Chancellors

- (1) A person holding office as a Deputy Chancellor under section 14 immediately before the commencement of the amendments made to that section by the *University of Western Sydney Amendment Act 2000* ceases to hold that office on that commencement, but is eligible to be elected as a Deputy Chancellor under that section as so amended.
- (2) An election may be conducted for the purposes of section 14 before the commencement of the amendments referred to in subclause (1) but a Deputy Chancellor so elected does not assume office before the commencement of those amendments.

22 University Members

On the repeal of sections 16–18 by the *University of Western Sydney Amendment Act 2000*:

- (a) the Councils of University Members are abolished, and
- (b) a person holding office as Chair of a Council or as principal executive officer of a University Member ceases to hold that office, and

- (c) anything done by the Council of a University Member before that repeal that has effect immediately before that repeal is, on and from that repeal, taken to have been done by the Board.

23 General

A person who ceases to hold an office under this Part is not entitled to be paid any remuneration or compensation because of ceasing to hold that office.