



New South Wales

Saint John's College Amendment Bill 2012

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The Council of Saint John's College has been rendered inoperative as a result of a lack of a quorum following the resignation of its fellows. The object of this Bill is to amend the *Saint John's College Act (1857)* to enable the Roman Catholic Archbishop of Sydney (in consultation with the Vice-Chancellor of the University of Sydney) to appoint clerical and lay persons to fill the resultant vacancies on the Council for terms of up to 3 years to enable the Council to govern the College.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 contains amendments to the *Saint John's College Act* to achieve the object described in the Overview above.

First print



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Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Saint John's College Act (1857) 21 Vic	3



New South Wales

Saint John's College Amendment Bill 2012

No. , 2012

A Bill for

An Act to amend the *Saint John's College Act (1857)* with respect to the Council of Saint John's College.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Saint John's College Amendment Act 2012</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5

Schedule 1	Amendment of Saint John's College Act (1857) 21 Vic	1 2
[1]	Section 1A	3
	Insert before section 1:	4
	1A Name of Act	5
	This Act is the <i>Saint John's College Act 1857</i> .	6
[2]	Section 7 Vacancies	7
	Omit "All". Insert instead "Except as provided by section 8B, all".	8
[3]	Section 8 Election of fellows	9
	Insert ", except as provided by section 8B," after "and that".	10
[4]	Section 8A Term of office	11
	Insert ", except as provided by section 8B," after "shall".	12
[5]	Section 8B	13
	Insert after section 8A:	14
	8B Extraordinary vacancies in offices of fellows	15
	(1) This section applies in either or both of the following circumstances:	16 17
	(a) if there are vacancies in the office of all 6 clerical members of the Council,	18 19
	(b) if there are vacancies in all but one of the offices of lay members of the Council.	20 21
	(2) In the circumstances to which this section applies, the visitor must, in consultation with the Vice-Chancellor:	22 23
	(a) remove any remaining fellows, and	24
	(b) appoint such persons as fellows as are necessary to enable the Council to be constituted in accordance with section 3.	25 26
	(3) A person removed under subsection (2) (a) may (but need not) be appointed as a fellow under subsection (2) (b).	27 28
	(4) A fellow appointed under this section holds office, unless sooner removed from office, for a period of up to 3 years specified in the fellow's instrument of appointment.	29 30 31

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Schedule 1 Amendment of Saint John's College Act (1857) 21 Vic

- (5) The visitor may, in consultation with the Vice-Chancellor, remove a fellow appointed under this section from office for any or no stated reason by revoking the appointment of the fellow by notice in writing given to the fellow. 1
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- (6) The visitor may fill a vacancy (however arising) in the office of a fellow appointed under this section for the remainder of the term of office of the fellow vacating office. 5
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- (7) The visitor, in consultation with the Vice-Chancellor, is to convene the first meeting of the Council after the requisite fellows are appointed under this section in such manner as the visitor thinks fit and is to nominate the fellow to preside at that meeting. 8
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- (8) The fellows appointed under this section have and may exercise and perform all the functions, powers and duties of fellows supplied under section 8. 13
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- (9) In this section: 16
Vice-Chancellor means the Vice-Chancellor of the University of Sydney. 17
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