

No. , 1973.

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# A BILL

To constitute the New South Wales Institute of  
Rural Studies and to define its duties and functions;  
and for purposes connected therewith.

[Mr CRAWFORD—3 *April*, 1973.]

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*Institute of Rural Studies.*

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Institute of Rural Studies Act, 1973". Short title.

2. This Act shall commence upon such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette. Commencement.

3. (1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires— Interpretation.

15 "affiliated college" means an agricultural college and any body or institution for the time being declared to be an affiliated college by an order under subsection (2);

"agricultural college" means a college forming part of the Department of Agriculture;

"Chairman" means the Chairman of the Institute;

20 "Deputy Chairman" means the Deputy Chairman of the Institute;

"Institute" means the New South Wales Institute of Rural Studies constituted under this Act;

"member" means a member of the Institute;

25 "rural studies" means agricultural education and related fields of study.

(2)

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*Institute of Rural Studies.*

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(2) The Institute may, with the consent in writing of any body or institution which the Institute is satisfied is engaged in providing courses in rural studies, declare, by order published in the Gazette, that body or institution to be an affiliated college for the purposes of this Act.

4. (1) There is hereby constituted a body under the name of the "New South Wales Institute of Rural Studies". Constitution of the Institute.

(2) The provisions of the Public Service Act, 1902, shall not apply to or in respect of the appointment of a member, and a member shall not be subject to the provisions of that Act during his term of office.

(3) The Institute shall consist of—

(a) fifteen members, appointed by the Governor, of whom—

- 15 (i) four shall be persons representing agricultural industries;
- (ii) four shall be persons representing agricultural technology industries;
- 20 (iii) one shall be the principal of an agricultural college;
- (iv) two shall be members of the academic staff of affiliated colleges;
- (v) one shall be a person engaged in teaching courses in rural studies in a university in New South Wales;
- 25 (vi) one shall be a person representing the Department of Education nominated by the Minister for Education;
- (vii)

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*Institute of Rural Studies.*

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- (vii) one shall be a person representing the Department of Technical Education nominated by the Minister for Education; and
- 5 (viii) one shall be a person representing the New South Wales Advanced Education Board nominated by the Minister for Education; and
- 10 (b) one or more, but not more than five, other persons appointed by the Governor on the nomination of the Minister.

5. (1) The Governor shall, in the instrument of appointment of the members of the Institute, as first constituted, appoint one of the members as Chairman of the Institute. Chairman and Deputy Chairman.

(2) The member appointed as Chairman under subsection (1) shall, subject to this Act, hold office as Chairman for a term of two years.

(3) If the member appointed as Chairman under subsection (1), or a person appointed as Chairman under this subsection, ceases to be the Chairman, the Governor shall, by instrument in writing, appoint another member to be Chairman for the remainder of his predecessor's term of office.

(4) On the expiration of the term of office of a Chairman appointed under subsection (1) or (3), the members shall from time to time elect one of their number to be Chairman.

(5) A member elected as Chairman under subsection (4) shall, subject to this Act, hold office as Chairman for a term of two years from the date of his election.

(6) The members shall from time to time elect one of their number, other than the Chairman, to be Deputy Chairman and the person so elected shall, subject to this Act, hold office as Deputy Chairman for a term of two years from the date of his election.

(7)

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*Institute of Rural Studies.*

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(7) A member appointed or elected as Chairman or elected as Deputy Chairman shall, upon the expiration of his term of office as Chairman or Deputy Chairman, be eligible for election or re-election.

5 (8) The Chairman or Deputy Chairman shall cease to hold office as such if he ceases to be a member.

6. (1) A member shall, subject to this Act, hold office as a member for such term, not exceeding four years, as may be specified in the instrument of his appointment and shall, if otherwise qualified, be eligible for re-appointment. Provisions relating to members generally.

(2) On the occurrence of a vacancy in the office of a member otherwise than by the expiration of the term for which he was appointed, the Governor may appoint a person, to represent the like interests, having the like qualifications or on the like nomination, as the case may be, as his predecessor, to hold office during the remainder of his predecessor's term of office.

(3) The Governor may appoint a person, other than a member, to act as a deputy of a member during the absence or illness of that member, and the person so appointed, while so acting, shall be deemed to be a member.

(4) A member shall receive such allowances and expenses as the Governor may from time to time determine in respect of him.

25 (5) A person who is of or above the age of sixty-five years shall not be appointed as a member.

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*Institute of Rural Studies.*

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7. (1) A member shall be deemed to have vacated his office if— Casual  
vacancy.

- (a) he dies;
- 5 (b) he is absent from three consecutive meetings of the Institute of which reasonable notice has been given to him personally or in the ordinary course of post and he is not excused by the Institute for his absence from those meetings before the expiration of four weeks after the last of those meetings;
- 10 (c) he becomes a bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes any assignment of his estate for their benefit;
- 15 (d) he becomes a temporary patient or a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;
- 20 (e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for twelve months or longer, or if he is convicted elsewhere than in New South Wales of an offence which if committed in New South Wales would be a felony or a misdemeanour so punishable;
- 25 (f) he resigns his office by writing under his hand addressed to the Governor;
- (g) being a member referred to in section 4 (3) (a) (iii) or (iv), he ceases to hold the qualification by virtue of which he was appointed;
- 30 (h) he attains the age of sixty-five years; or
- (i) he is removed from office by the Governor.

(2) The Governor may, for any cause which appears to him sufficient, remove a member from office.

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*Institute of Rural Studies.*

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8. (1) At least three meetings of the Institute shall be held in each year. Meetings of the Institute.

(2) The procedure for the calling of meetings and for the conduct of business at meetings shall be as determined by the members.

(3) At least fourteen days' notice of a meeting of the Institute shall be given to each member and, in respect of any meeting after the first, shall be given in such manner as the Institute may determine.

(4) Subject to subsection (5), the Chairman or, in his absence, the Deputy Chairman shall preside at all meetings.

(5) In the absence of both the Chairman and the Deputy Chairman from any meeting, the members present shall elect from among their number a member to preside at that meeting.

(6) Eight members shall form a quorum at any meeting of the Institute and any meeting at which a quorum is present shall be competent to transact any business of the Institute and shall have and may discharge all the powers, duties and functions of the Institute.

(7) In the event of an equality of votes at any meeting of the Institute, the person presiding at the meeting shall have, in addition to a deliberative vote, a second or casting vote.

(8) Subject to subsection (7), a decision of the majority of the members present at a meeting of the Institute at which a quorum is present shall be the decision of the Institute.

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*Institute of Rural Studies.*

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9. (1) The functions and duties of the Institute shall be— Functions  
and duties  
of Institute.
- (a) to make reports and recommendations to the Minister, either of its own motion or at the request of the Minister, with respect to—
- 5 (i) the development of existing courses offered by affiliated colleges and the need for further courses;
- (ii) the administration of agricultural colleges and the financial requirements of agricultural colleges;
- 10 (iii) the co-ordination of the education, research and other services of the Department of Agriculture for the purpose of ensuring the economic and efficient use of those services in the interests of agricultural education;
- 15 (iv) any matter relating to the training needs of agricultural industries and related technologies;
- 20 (v) the promotion of the improvement of the standards of teaching within affiliated colleges; and
- (vi) the fostering of the co-ordination, development and improvement of courses in rural studies in New South Wales and the recommending of action for that purpose insofar as any such action is not inconsistent with the provisions of any other Act;
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- (b) to determine, with the approval of the Minister, the nomenclature of awards to be conferred by affiliated colleges other than awards referred to in section 6 (1) (e1) of the Higher Education Act, 1969;
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- (c) to determine, with the approval of the Minister, the courses in respect of which awards referred to in paragraph (b) shall be granted and the standards for those courses;
- 35

(d)



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*Institute of Rural Studies.*

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- 5 (d) to furnish advice on matters relating to rural studies to any statutory body or any institution concerned in the provision or approval of courses in rural studies, either of its own motion or at the request of that statutory body or the institution; and
- (e) to collect, integrate and disseminate information relating to agricultural education in accordance with any directions given by the Minister.

(2) Nothing in this section affects the responsibilities  
10 under the Higher Education Act, 1969, of the Minister administering that Act or any of the functions or powers of any body constituted by that Act.

10 **10.** The Institute shall in each year, at such time as the Minister may direct, furnish to the Minister a report of its  
15 work and activities for the period of twelve months ending on the preceding thirty-first day of December. Annual report.

**11.** (1) The Institute may appoint such committees as  
it thinks fit to assist and advise it in connection with the carrying out of its functions and duties under this Act. Committees.

20 (2) Any such committee may consist of members of the Institute, persons who are not members of the Institute or partly of persons who are, and partly of persons who are not, members of the Institute.

(3) A member of any such committee, not being a  
25 member of the Institute, shall be entitled to receive such travelling expenses and, if the Governor so approves, such fees for sitting as a member of the committee as may be fixed from time to time by the Governor.



*PROOF*

## **INSTITUTE OF RURAL STUDIES BILL, 1973**

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### **EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to constitute a body to be called the “New South Wales Institute of Rural Studies”;
- (b) to define the duties and functions of the Institute;
- (c) to make other provisions of a minor or ancillary character.



*PROOF*

No. , 1973.

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# A BILL

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and with the advice and consent of the Legislative  
Council and Legislative Assembly of New South Wales in  
Parliament assembled, and by the authority of the same, as  
5 follows:—

1. This Act may be cited as the "Institute of Rural Studies Short title.  
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2. This Act shall commence upon such day as may be <sup>Commence-</sup>  
appointed by the Governor in respect thereof and as may be <sup>ment.</sup>  
10 notified by proclamation published in the Gazette.

3. (1) In this Act, except in so far as the context or <sup>Interpre-</sup>  
subject-matter otherwise indicates or requires— <sup>tation.</sup>

15 "affiliated college" means an agricultural college and any  
body or institution for the time being declared to  
be an affiliated college by an order under subsection  
(2);

"agricultural college" means a college forming part of  
the Department of Agriculture;

"Chairman" means the Chairman of the Institute;

20 "Deputy Chairman" means the Deputy Chairman of the  
Institute;

"Institute" means the New South Wales Institute of Rural  
Studies constituted under this Act;

"member" means a member of the Institute;

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(2)

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*Institute of Rural Studies.*

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4. (1) There is hereby constituted a body under the name of the "New South Wales Institute of Rural Studies". Constitution of the Institute.

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*Institute of Rural Studies.*

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(2) The member appointed as Chairman under subsection (1) shall, subject to this Act, hold office as Chairman for a term of two years.

(3) If the member appointed as Chairman under subsection (1), or a person appointed as Chairman under this subsection, ceases to be the Chairman, the Governor shall, by instrument in writing, appoint another member to be Chairman for the remainder of his predecessor's term of office.

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(3) The Governor may appoint a person, other than a member, to act as a deputy of a member during the absence 20 or illness of that member, and the person so appointed, while so acting, shall be deemed to be a member.

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- (vi) the fostering of the co-ordination, development and improvement of courses in rural studies in New South Wales and the recommending of action for that purpose insofar as any such action is not inconsistent with the provisions of any other Act;
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10 (2) Nothing in this section affects the responsibilities under the Higher Education Act, 1969, of the Minister administering that Act or any of the functions or powers of any body constituted by that Act.

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