

**MACQUARIE UNIVERSITY (CONSTITUTION)  
AMENDMENT BILL, 1978**

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**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

THE object of this Bill is to provide for the election of a member of the Legislative Council to the Council of Macquarie University after each concurrent periodic Council election and Assembly general election instead of after the commencement of the term of service of members elected at a triennial Council election as required by section 17F (5) of the Constitution Act, 1902, prior to the reconstitution of the Legislative Council under the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978.

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1978 Act No. 1

**MACQUARIE UNIVERSITY (CONSTITUTION)  
AMENDMENT BILL, 1978**

BE 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 Macquarie University (Constitution) Amendment Act 1978.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in this Act shall

No. , 1978.

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**A BILL FOR**

**An Act to amend the Macquarie University Act, 1964, with respect to the election of a member of the Legislative Council as a member of the Council of Macquarie University.**

**[MR F. J. WALKER on behalf of MR WRAN—31 August, 1978.]**

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*Macquarie University (Constitution) Amendment.*

**BE** 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 :—

5 1. This Act may be cited as the "Macquarie University Short title.  
(Constitution) Amendment Act, 1978".

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-  
ment.

(2) Except as provided in subsection (1), this Act shall  
10 commence on the first appointed day.

(3) In subsection (2), "first appointed day" has the meaning ascribed thereto by section 16 of the Constitution Act, 1902.

3. The Macquarie University Act, 1964, is amended—

Amendment  
of Act No.  
29, 1964.

15 (a) by omitting section 10 (3) and by inserting instead the following subsection :—

Sec. 10.  
(Constitution  
of Council  
other than  
first  
Council.)

(3) One member shall be a member of the Legislative  
Council elected by that Council as soon as practicable  
after each periodic Council election within the meaning  
20 of section 3 of the Constitution Act, 1902.



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*Macquarie University (Constitution) Amendment.*

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(b) (i) by omitting section 12 (d) and by inserting instead the following paragraph :—

Sec. 12.  
(Vacation  
of office.)

(d) being the member elected by the Legislative Council—

5 (i) ceases to be a member of the Legislative Council otherwise than by reason of section 22B (1) (c) of the Constitution Act, 1902; or

10 (ii) ceases to be a member of the Legislative Council by reason of section 22B (1) (c) of that Act and does not become a candidate at the next periodic Council election within the meaning of section 3 of that Act or,  
15 as the case may be, becomes a candidate but is not elected; or

(ii) by omitting section 12 (e) (ii) and by inserting instead the following subparagraph :—

20 (ii) ceases to be a member of that Assembly by reason of its dissolution or its expiration by effluxion of time and does not become a candidate at the next general election of members of that Assembly or, as the case may be, becomes a candidate but is not  
25 elected.

4. Notwithstanding section 3, a member of the Council of Macquarie University who was elected by the Legislative Council and who is holding that office immediately before the commencement of that section does not cease to hold that office until—

30 (a) the Legislative Council elects one of its members to replace him; or

*Macquarie University (Constitution) Amendment.*

(b) he ceases to hold that office pursuant to the Macquarie University Act, 1964, as in force immediately before that commencement,

whichever first occurs.

BY AUTHORITY  
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

[8c]

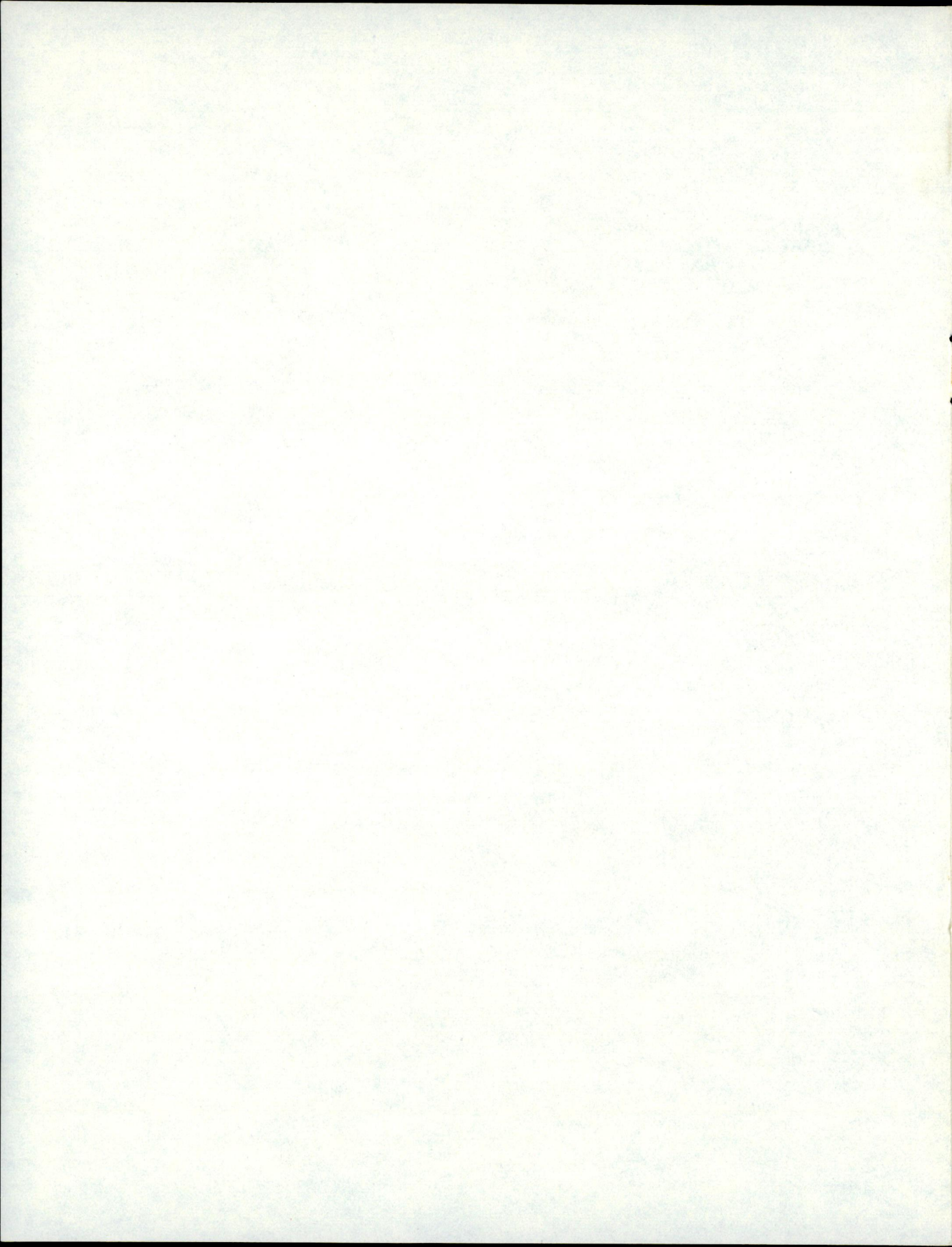
4. Notwithstanding section 1, a member of the Council of Macquarie University who was elected by the Legislative Council and who is holding that office immediately before the commencement of that section does not cease to hold that office until—

(a) the Legislative Council elects one of its members to replace him; or

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**MACQUARIE UNIVERSITY (CONSTITUTION)  
AMENDMENT ACT, 1978, No. 80**

**New South Wales**



ANNO VICESIMO SEPTIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 80, 1978.**

An Act to amend the Macquarie University Act, 1964, with respect to the election of a member of the Legislative Council as a member of the Council of Macquarie University. [Assented to, 11th September, 1978.]

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*Macquarie University (Constitution) Amendment.*

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**BE** 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 :—

Short title.     **1.** This Act may be cited as the "Macquarie University (Constitution) Amendment Act, 1978".

Commence-  
ment.           **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the first appointed day.

(3) In subsection (2), "first appointed day" has the meaning ascribed thereto by section 16 of the Constitution Act, 1902.

Amendment  
of Act No.  
29, 1964.       **3.** The Macquarie University Act, 1964, is amended—

Sec. 10.  
(Constitution  
of Council  
other than  
first  
Council.)       (a) by omitting section 10 (3) and by inserting instead the following subsection :—

(3) One member shall be a member of the Legislative Council elected by that Council as soon as practicable after each periodic Council election within the meaning of section 3 of the Constitution Act, 1902.

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*Macquarie University (Constitution) Amendment.*

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- (b) (i) by omitting section 12 (d) and by inserting instead the following paragraph :—

Sec. 12.  
(Vacation  
of office.)

(d) being the member elected by the Legislative Council—

(i) ceases to be a member of the Legislative Council otherwise than by reason of section 22B (1) (c) of the Constitution Act, 1902; or

(ii) ceases to be a member of the Legislative Council by reason of section 22B (1) (c) of that Act and does not become a candidate at the next periodic Council election within the meaning of section 3 of that Act or, as the case may be, becomes a candidate but is not elected; or

- (ii) by omitting section 12 (e) (ii) and by inserting instead the following subparagraph :—

(ii) ceases to be a member of that Assembly by reason of its dissolution or its expiration by effluxion of time and does not become a candidate at the next general election of members of that Assembly or, as the case may be, becomes a candidate but is not elected.

4. Notwithstanding section 3, a member of the Council of Saving. Macquarie University who was elected by the Legislative Council and who is holding that office immediately before the commencement of that section does not cease to hold that office until—

- (a) the Legislative Council elects one of its members to replace him; or



*Macquarie University (Constitution) Amendment.*

- (b) he ceases to hold that office pursuant to the Macquarie University Act, 1964, as in force immediately before that commencement,

whichever first occurs.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 11th September, 1978.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978