

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 November, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the New South Wales State Conservatorium of Music Act, 1965, to reconstitute The Board of Governors of the Conservatorium, to clarify the borrowing and investment powers of that Board and to remove restrictions on the type of academic awards that may be made by that Board.

BE

New South Wales State Conservatorium of Music (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 "New South Wales State Short title.
Conservatorium of Music (Amendment) Act, 1977".

2. (1) This section, sections 1, 3 and 4 and Schedule 3 Commence-
shall commence on the date of assent to this Act. ment.

10 (2) For the purposes only of the election and appoint-
ment of members of The Board of Governors of the New
South Wales State Conservatorium of Music as reconstituted
under the Principal Act, as amended by this Act, and of
matters necessary for or incidental to that election, appoint-
ment and reconstitution, section 5 and Schedule 1 shall
15 commence on the date of assent to this Act.

(3) Subject to subsection (2), sections 5 and 7 and
Schedule 1 shall commence on such day as may be appointed
by the Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

20 (4) Section 6 shall, in its application to a provision of
Schedules 2 and 3, commence on the day on which that pro-
vision commences.

(5) The several provisions of Schedule 2 shall com-
mence on such day or days as may be appointed by the
25 Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

3. The New South Wales State Conservatorium of Music Principal
Act, 1965, is in this Act referred to as the Principal Act.

4.

New South Wales State Conservatorium of Music (Amendment).

4. This Act contains the following Schedules :—

Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL
ACT RECONSTITUTING THE BOARD OF GOVERNORS.

5 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL
ACT.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL
ACT BY WAY OF STATUTE LAW REVISION.

5. The Principal Act is amended in the manner set forth
in Schedule 1.

Amendment
of Act No.
5, 1965.

10 6. The Principal Act is further amended in the manner
set forth in Schedules 2 and 3.

Further
amendment
of Act No.
5, 1965.

7. (1) In this section—

“appointed day” means the day appointed and notified
under section 2 (3);

Reconstitu-
tion of
Board.

15 “Board” means The Board of Governors of the New
South Wales State Conservatorium of Music.

(2) On and from the appointed day the Board shall
be reconstituted as provided by the Principal Act, as amended
by this Act.

20 (3) Nothing in this Act prejudices or affects the con-
tinuity of the body corporate constituted under section 3 of
the Principal Act.

(4) The members of the Board reconstituted as pro-
vided by the Principal Act, as amended by this Act, shall
25 assume office on the appointed day.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS.

(1) Section 4—

5 Omit the section, insert instead :—

4. (1) The Board shall consist of not less than **Members.**
14, and not more than 16, members comprising—

- (a) 6 persons appointed by the Minister, being
the persons referred to in subsection (2);
- 10 (b) not less than 6, and not more than 8, persons
appointed by the Minister, being the
persons referred to in subsection (3);
- (c) the person for the time being holding or
acting in the office of Director; and
- 15 (d) the person for the time being holding or
acting in the office prescribed by the by-laws
for the purposes of this paragraph.

(2) The persons to be appointed pursuant to
subsection (1) (a) shall comprise—

- 20 (a) 2 members of the staff of the Conservator-
ium who—
 - (i) have the prescribed qualifications
and experience which may be the
same for both of them or different
25 for each of them; and

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- 5 (ii) are elected as prescribed, whether
that prescription is the same for
both of them or different for each
of them;
- (b) a student of the Conservatorium who—
- 10 (i) has the prescribed qualifications and
experience; and
- (ii) is elected as prescribed;
- (c) a person elected, as prescribed, by the
persons who, but for this paragraph, would
comprise the Board;
- 15 (d) a person who is an officer of the Public
Service employed in a Department of the
Government administered by the Minister;
and
- (e) an officer of the Public Service who—
- 20 (i) is experienced in cultural matters;
and
- (ii) is nominated by the Premier.
- (3) The persons to be appointed pursuant to
subsection (1) (b) shall comprise such persons as
the Minister considers to be suitable for appointment
after he has consulted such persons as he thinks fit.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (4) Subject to this Act, the members (other
than the members referred to in subsection (1) (c)
and (d)) hold office—

(a) in the case of a member referred to in sub-
section (2) (a), (b) or (c)—until—

10 (i) the expiration of such period as is
prescribed in respect of that mem-
ber; or

(ii) the accession to office of his suc-
cessor,

whichever is the later; and

15 (b) in the case of a member referred to in sub-
section (2) (d) or (e) or subsection (3)—
for such period not exceeding 4 years as is
specified (whether by reference to the expiry
20 date of the period or otherwise) in the
instrument of his appointment.

(5) A person may not be appointed as a
member if he is of or above the age of 70 years.

25 (6) The provisions of the Public Service Act,
1902, do not apply to the appointment of a member
and a member is not, as a member, subject to the
provisions of that Act.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(2) Section 5—

5 Omit the section, insert instead :—

5. (1) A member (other than a member referred to in subsection (1) (c) or (d)) vacates his office, and there is a casual vacancy in his office, if—

- (a) he attains the age of 70 years;
- 10 (b) he dies;
- (c) he becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under
15 detention under Part VII of that Act;
- (d) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his estate for their benefit;
20
- (e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for 12 months or longer, or if he is convicted outside New South Wales of an offence which, if committed in New South Wales, would be a felony or misdemeanour so punishable;
25
- (f) he resigns his office by writing under his hand addressed to the Minister and his resignation is accepted;
30

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- 5 (g) he is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to him personally or in the ordinary course of post and is not, within 6 weeks after the last of those meetings, excused by the Board for his absence;
- 10 (h) being a member referred to in section 4 (2) (a), he ceases to be a member of the staff of the Conservatorium;
- 15 (i) being the member referred to in section 4 (2) (b), he ceases to be a student of the Conservatorium;
- (j) being a member referred to in section 4 (2) (d) or (e), he ceases to be an officer of the Public Service; or
- (k) he is removed from office by the Minister.
- 20 (2) The Minister may, for any cause which appears to him to be sufficient, remove from office a member referred to in section 4 (2) (d) or section 4 (3).
- 25 (3) Where a casual vacancy occurs in the office of a member of the Board, the vacancy shall be filled—
- (a) by the Minister appointing a person as prescribed by the by-laws in relation to the office vacated; or

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (b) where the by-laws do not provide for the
filling of the vacancy—by the Minister
appointing a person eligible for appoint-
ment in the same way as the member who
vacated his office.

10 (4) A member appointed to fill a casual
vacancy holds office as a member for the balance of
the term of office of his predecessor.

(3) Section 6—

Omit the section, insert instead :—

15 6. (1) The Chairman and Deputy Chairman of
the Board shall be elected and hold office as prescribed
and shall have such powers and duties as are
prescribed. <sup>Election of
Chairman,
etc.</sup>

20 (2) At a meeting of the Board from which the
Chairman and Deputy Chairman are absent, the
members present at the meeting shall elect one of their
number to preside at the meeting.

(4) Section 7 (3)—

Omit "four", insert instead "8".

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(5) Section 16 (1) (aa)—

5 After section 16 (1) (a), insert :—

(aa) the election of the elected members of the
Board and their accession to office and the
election of the Chairman and Deputy Chair-
man of the Board and their terms of office;

10

SCHEDULE 2.

Sec. 6.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 12 (b)—

Omit the paragraph, insert instead :—

15

(b) subject to the approval of the Minister,
the establishment, maintenance and con-
trol, whether or not by agreement with
any person, of branches of the Conser-
vatorium within New South Wales;

(b) Section 12 (2), (3), (4)—

20

At the end of section 12, insert :—

(2) The Board may, within such limits, to
such extent and upon such conditions (as to
security or otherwise) as the Governor upon the
recommendation of the Treasurer approves,

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 borrow money for the purpose of exercising or performing any of its powers, authorities, duties or functions, the renewal of loans or the discharge of its debts.

(3) The Board may invest any funds belonging to or vested in the Board—

10 (a) in the manner for the time being authorised by law for the investment of trust funds; or

15 (b) in any manner approved by the Governor on the recommendation of the Treasurer, either generally or in a particular case or class of cases,

unless a condition upon which the funds were acquired by the Board provides for their investment in some other manner.

20 (4) The Public Service Board may, in relation to the Board constituted under this Act, exercise its powers under section 11A of the Public Service Act, 1902, in the same way as it may exercise them in relation to an officer.

(2) Section 15A—

25 After section 15, insert :—

15A. (1) The Board may, by resolution, delegate ^{Delegation} to the Director or an officer or employee appointed ^{by Board.} and employed under section 11 or to a committee

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 appointed by the Board the exercise or performance
of any power, authority, duty or function of the Board
other than—

- (a) a power, authority, duty or function dele-
gated to the Board under section 12 (4);
and
- 10 (b) the power of delegation conferred on it by
this section.

15 (2) A delegation under this section may be
made subject to such conditions or limitations as to
the exercise or performance of the delegated power,
authority, duty or function, or as to time or circum-
stance, as may be specified by the delegation resolu-
tion.

(3) The delegation under this section of a
power, authority, duty or function does not prevent its
exercise or performance by the Board.

20 (4) Any act or thing done or suffered by a
delegate when acting in the exercise of a delegation
under this section has the same force and effect as it
would have had if it had been done or suffered by the
Board.

25 (5) The Board may, by resolution, revoke
a delegation under this section.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(3) (a) Section 16 (1) (ba)—

After section 16 (1) (b), insert :—

- 5 (ba) the discipline of students at the Conservatorium and the imposition of penalties for breaches of discipline by those students;

(b) Section 16 (1) (c)—

Omit the paragraph, insert instead :—

- 10 (c) the conferring of awards, the conduct of examinations and the acceptance of specified qualifications as the equivalent of specified examination results;

SCHEDULE 3.

Sec. 6.

15 AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.

(1) (a) Section 1 (2)—

Omit "subsection three of this section", insert instead "subsection (3)".

20 (b) Section 1 (3)—

Omit "subsection two of this section", insert instead "subsection (2)".

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

- (2) (a) Section 11 (1)—
5 Omit “as amended by subsequent Acts,”.
- (b) Section 11 (2)—
Omit “and any Act amending that Act,”.
- (3) Section 12 (a)—
Omit “of this section”.
- 10 (4) (a) Section 13 (2)—
Omit “relating to perpetuities shall not”, insert
instead “against remoteness of vesting does not”.
- (b) Section 13 (3)—
15 Omit “or in any Act amending that Act, whether
passed before or after the commencement of this
Act,”.
- (5) Section 15 (2)—
Omit “and Acts amending the same,”.
- (6) (a) Section 16 (1)—
20 Omit “paragraph (b) of section twelve of this
Act”, insert instead “section 12 (b)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(b) Section 16 (4)—

5 Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[16c]

South Dakota, 1975 (Amendment)

SCHEDULE 2 - continued

Amendments to the Principal Act as of 1975

Law Revision - continued

(b) Section 16 (4) -

Only the subsections are added

(4) Section 16 of the Interpretation Act, 1957, applies in respect of a by-law which has been passed after the commencement of the Interpretation (Amendment) Act, 1957

BY AUTHORITY
SECRETARY OF LEGISLATION
(1975)

**NEW SOUTH WALES STATE CONSERVATORIUM
OF MUSIC (AMENDMENT) BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the New South Wales State Conservatorium of Music Act, 1965, to reconstitute The Board of Governors of the Conservatorium, to clarify the borrowing and investment powers of that Board and to remove restrictions on the type of academic awards that may be made by that Board.

[MR BEDFORD—21 *September*, 1977.]

BE

New South Wales State Conservatorium of Music (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 "New South Wales State Short title.
Conservatorium of Music (Amendment) Act, 1977".

2. (1) This section, sections 1, 3 and 4 and Schedule 3 Commence-
shall commence on the date of assent to this Act. ment.

10 (2) For the purposes only of the election and appoint-
ment of members of The Board of Governors of the New
South Wales State Conservatorium of Music as reconstituted
under the Principal Act, as amended by this Act, and of
matters necessary for or incidental to that election, appoint-
ment and reconstitution, section 5 and Schedule 1 shall
15 commence on the date of assent to this Act.

(3) Subject to subsection (2), sections 5 and 7 and
Schedule 1 shall commence on such day as may be appointed
by the Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

20 (4) Section 6 shall, in its application to a provision of
Schedules 2 and 3, commence on the day on which that pro-
vision commences.

25 (5) The several provisions of Schedule 2 shall com-
mence on such day or days as may be appointed by the
Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

3. The New South Wales State Conservatorium of Music Principal
Act, 1965, is in this Act referred to as the Principal Act. Act.

4.

New South Wales State Conservatorium of Music (Amendment).

4. This Act contains the following Schedules :—

Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL
ACT RECONSTITUTING THE BOARD OF GOVERNORS.

5 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL
ACT.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL
ACT BY WAY OF STATUTE LAW REVISION.

5. The Principal Act is amended in the manner set forth
in Schedule 1. Amendment
of Act No.
5, 1965.

10 6. The Principal Act is further amended in the manner
set forth in Schedules 2 and 3. Further
amendment
of Act No.
5, 1965.

7. (1) In this section—

“appointed day” means the day appointed and notified
under section 2 (3); Reconstitu-
tion of
Board.

15 “Board” means The Board of Governors of the New
South Wales State Conservatorium of Music.

(2) On and from the appointed day the Board shall
be reconstituted as provided by the Principal Act, as amended
by this Act.

20 (3) Nothing in this Act prejudices or affects the con-
tinuity of the body corporate constituted under section 3 of
the Principal Act.

(4) The members of the Board reconstituted as pro-
vided by the Principal Act, as amended by this Act, shall
25 assume office on the appointed day.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS.

(1) Section 4—

5 Omit the section, insert instead :—

4. (1) The Board shall consist of not less than **Members**.
14, and not more than 16, members comprising—

- (a) 6 persons appointed by the Minister, being
the persons referred to in subsection (2);
- 10 (b) not less than 6, and not more than 8, persons
appointed by the Minister, being the
persons referred to in subsection (3);
- (c) the person for the time being holding or
acting in the office of Director; and
- 15 (d) the person for the time being holding or
acting in the office prescribed by the by-laws
for the purposes of this paragraph.

(2) The persons to be appointed pursuant to
subsection (1) (a) shall comprise—

- 20 (a) 2 members of the staff of the Conservator-
ium who—
 - (i) have the prescribed qualifications
and experience which may be the
same for both of them or different
- 25 for each of them; and

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (ii) are elected as prescribed, whether
 that prescription is the same for
 both of them or different for each
 of them;

 (b) a student of the Conservatorium who—
10 (i) has the prescribed qualifications and
 experience; and
 (ii) is elected as prescribed;

 (c) a person elected, as prescribed, by the
 persons who, but for this paragraph, would
 comprise the Board;

15 (d) a person who is an officer of the Public
 Service employed in a Department of the
 Government administered by the Minister;
 and

 (e) an officer of the Public Service who—
20 (i) is experienced in cultural matters;
 and
 (ii) is nominated by the Premier.

25 (3) The persons to be appointed pursuant to
 subsection (1) (b) shall comprise such persons as
 the Minister considers to be suitable for appointment
 after he has consulted such persons as he thinks fit.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (4) Subject to this Act, the members (other
than the members referred to in subsection (1) (c)
and (d)) hold office—

(a) in the case of a member referred to in sub-
section (2) (a), (b) or (c)—until—

10 (i) the expiration of such period as is
prescribed in respect of that mem-
ber; or

(ii) the accession to office of his suc-
cessor,

whichever is the later; and

15 (b) in the case of a member referred to in sub-
section (2) (d) or (e) or subsection (3)—
for such period not exceeding 4 years as is
specified (whether by reference to the expiry
20 date of the period or otherwise) in the
instrument of his appointment.

(5) A person may not be appointed as a
member if he is of or above the age of 70 years.

25 (6) The provisions of the Public Service Act,
1902, do not apply to the appointment of a member
and a member is not, as a member, subject to the
provisions of that Act.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(2) Section 5—

5 Omit the section, insert instead :—

5. (1) A member (other than a member referred to in subsection (1) (c) or (d)) vacates his office, and there is a casual vacancy in his office, if—

(a) he attains the age of 70 years;

10 (b) he dies;

(c) he becomes a temporary patient, 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;

(d) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his estate for their benefit;

(e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for 12 months or longer, or if he is convicted outside New South Wales of an offence which, if committed in New South Wales, would be a felony or misdemeanour so punishable;

(f) he resigns his office by writing under his hand addressed to the Minister and his resignation is accepted;

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- 5 (g) he is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to him personally or in the ordinary course of post and is not, within 6 weeks after the last of those meetings, excused by the Board for his absence;
- 10 (h) being a member referred to in section 4 (2) (a), he ceases to be a member of the staff of the Conservatorium;
- 15 (i) being the member referred to in section 4 (2) (b), he ceases to be a student of the Conservatorium;
- (j) being a member referred to in section 4 (2) (d) or (e), he ceases to be an officer of the Public Service; or
- (k) he is removed from office by the Minister.
- 20 (2) The Minister may, for any cause which appears to him to be sufficient, remove from office a member referred to in section 4 (2) (d) or section 4 (3).
- 25 (3) Where a casual vacancy occurs in the office of a member of the Board, the vacancy shall be filled—
- (a) by the Minister appointing a person as prescribed by the by-laws in relation to the office vacated; or

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (b) where the by-laws do not provide for the
filling of the vacancy—by the Minister
appointing a person eligible for appoint-
ment in the same way as the member who
vacated his office.

10 (4) A member appointed to fill a casual
vacancy holds office as a member for the balance of
the term of office of his predecessor.

(3) Section 6—

Omit the section, insert instead :—

15 6. (1) The Chairman and Deputy Chairman of Election of
the Board shall be elected and hold office as prescribed Chairman,
and shall have such powers and duties as are etc.
prescribed.

20 (2) At a meeting of the Board from which the
Chairman and Deputy Chairman are absent, the
members present at the meeting shall elect one of their
number to preside at the meeting.

(4) Section 7 (3)—

Omit “four”, insert instead “8”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(5) Section 16 (1) (aa)—

5 After section 16 (1) (a), insert :—

(aa) the election of the elected members of the Board and their accession to office and the election of the Chairman and Deputy Chairman of the Board and their terms of office;

10

SCHEDULE 2.

Sec. 6.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 12 (b)—

Omit the paragraph, insert instead :—

15

(b) subject to the approval of the Minister, the establishment, maintenance and control, whether or not by agreement with any person, of branches of the Conservatorium within New South Wales;

(b) Section 12 (2), (3), (4)—

20

At the end of section 12, insert :—

(2) The Board may, within such limits, to such extent and upon such conditions (as to security or otherwise) as the Governor upon the recommendation of the Treasurer approves,

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 borrow money for the purpose of exercising or performing any of its powers, authorities, duties or functions, the renewal of loans or the discharge of its debts.

(3) The Board may invest any funds belonging to or vested in the Board—

10 (a) in the manner for the time being authorised by law for the investment of trust funds; or

15 (b) in any manner approved by the Governor on the recommendation of the Treasurer, either generally or in a particular case or class of cases,

unless a condition upon which the funds were acquired by the Board provides for their investment in some other manner.

20 (4) The Public Service Board may, in relation to the Board constituted under this Act, exercise its powers under section 11A of the Public Service Act, 1902, in the same way as it may exercise them in relation to an officer.

(2) Section 15A—

25 After section 15, insert :—

15A. (1) The Board may, by resolution, delegate to the Director or an officer or employee appointed and employed under section 11 or to a committee

Delegation by Board.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 appointed by the Board the exercise or performance
of any power, authority, duty or function of the Board
other than—

(a) a power, authority, duty or function dele-
gated to the Board under section 12 (4);
and

10 (b) the power of delegation conferred on it by
this section.

15 (2) A delegation under this section may be
made subject to such conditions or limitations as to
the exercise or performance of the delegated power,
authority, duty or function, or as to time or circum-
stance, as may be specified by the delegation resolu-
tion.

(3) The delegation under this section of a
power, authority, duty or function does not prevent its
exercise or performance by the Board.

20 (4) Any act or thing done or suffered by a
delegate when acting in the exercise of a delegation
under this section has the same force and effect as it
would have had if it had been done or suffered by the
Board.

25 (5) The Board may, by resolution, revoke
a delegation under this section.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(3) (a) Section 16 (1) (ba)—

After section 16 (1) (b), insert :—

- 5 (ba) the discipline of students at the Conservatorium and the imposition of penalties for breaches of discipline by those students;

(b) Section 16 (1) (c)—

Omit the paragraph, insert instead :—

- 10 (c) the conferring of awards, the conduct of examinations and the acceptance of specified qualifications as the equivalent of specified examination results;

SCHEDULE 3.

Sec. 6.

15 AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 1 (2)—

Omit “subsection three of this section”, insert instead “subsection (3)”.

20 (b) Section 1 (3)—

Omit “subsection two of this section”, insert instead “subsection (2)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(2) (a) Section 11 (1)—

5 Omit “as amended by subsequent Acts,”.

(b) Section 11 (2)—

Omit “and any Act amending that Act,”.

(3) Section 12 (a)—

Omit “of this section”.

10 (4) (a) Section 13 (2)—

Omit “relating to perpetuities shall not”, insert
instead “against remoteness of vesting does not”.

(b) Section 13 (3)—

15 Omit “or in any Act amending that Act, whether
passed before or after the commencement of this
Act,”.

(5) Section 15 (2)—

Omit “and Acts amending the same,”.

(6) (a) Section 16 (1)—

20 Omit “paragraph (b) of section twelve of this
Act”, insert instead “section 12 (b)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(b) Section 16 (4)—

5 Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[16c]

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**NEW SOUTH WALES STATE CONSERVATORIUM OF MUSIC
(AMENDMENT) BILL, 1977**

EXPLANATORY NOTE

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

THE objects of this Bill are—

- (a) to increase the number of members of the Board of Governors of the Conservatorium of Music from 10 to not less than 14 and not more than 16, including 2 members elected by the staff and 1 member elected by the students (Schedule 1 (1));
 - (b) to enable the Board to borrow money with the approval of the Governor given on the recommendation of the Treasurer (Schedule 2 (1) (b));
 - (c) to provide for the investment of the funds of the Board (Schedule 2 (1) (b));
 - (d) to enable the Board to delegate the exercise or performance of any of its powers, authorities, duties or functions (Schedule 2 (2));
 - (e) to authorise the making of by-laws with respect to the discipline of students at the Conservatorium (Schedule 2 (3) (a));
 - (f) to remove the restriction on the academic awards that may be made by the Board, these at present being confined to "diplomas, certificates and testimonials" (Schedule 2 (3) (b));
 - (g) to make certain amendments for the purposes of statute law revision (Schedule 3); and
 - (h) to make other amendments of a minor, consequential or ancillary nature.
-

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THE UNIVERSITY OF CHICAGO PRESS

CHICAGO, ILLINOIS

1968

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PROOF

**NEW SOUTH WALES STATE CONSERVATORIUM
OF MUSIC (AMENDMENT) BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the New South Wales State Conservatorium of Music Act, 1965, to reconstitute The Board of Governors of the Conservatorium, to clarify the borrowing and investment powers of that Board and to remove restrictions on the type of academic awards that may be made by that Board.

[MR BEDFORD—21 September, 1977.]

BE

New South Wales State Conservatorium of Music (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 "New South Wales State Short title.
Conservatorium of Music (Amendment) Act, 1977".

2. (1) This section, sections 1, 3 and 4 and Schedule 3 Commence-
shall commence on the date of assent to this Act. ment.

10 (2) For the purposes only of the election and appoint-
ment of members of The Board of Governors of the New
South Wales State Conservatorium of Music as reconstituted
under the Principal Act, as amended by this Act, and of
matters necessary for or incidental to that election, appoint-
ment and reconstitution, section 5 and Schedule 1 shall
15 commence on the date of assent to this Act.

(3) Subject to subsection (2), sections 5 and 7 and
Schedule 1 shall commence on such day as may be appointed
by the Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

20 (4) Section 6 shall, in its application to a provision of
Schedules 2 and 3, commence on the day on which that pro-
vision commences.

25 (5) The several provisions of Schedule 2 shall com-
mence on such day or days as may be appointed by the
Governor in respect thereof and as may be notified by
proclamation published in the Gazette.

3. The New South Wales State Conservatorium of Music Principal
Act, 1965, is in this Act referred to as the Principal Act.

4.

New South Wales State Conservatorium of Music (Amendment).

4. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL
ACT RECONSTITUTING THE BOARD OF GOVERNORS.

5 SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL
ACT.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL
ACT BY WAY OF STATUTE LAW REVISION.

5. The Principal Act is amended in the manner set forth Amendment
in Schedule 1. of Act No.
5, 1965.

10 6. The Principal Act is further amended in the manner Further
set forth in Schedules 2 and 3. amendment
of Act No. 5, 1965.

7. (1) In this section— Reconstitu-
“appointed day” means the day appointed and notified tion of
under section 2 (3); Board.

15 “Board” means The Board of Governors of the New
South Wales State Conservatorium of Music.

(2) On and from the appointed day the Board shall
be reconstituted as provided by the Principal Act, as amended
by this Act.

20 (3) Nothing in this Act prejudices or affects the con-
tinuity of the body corporate constituted under section 3 of
the Principal Act.

(4) The members of the Board reconstituted as pro-
vided by the Principal Act, as amended by this Act, shall
25 assume office on the appointed day.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS.

(1) Section 4—

5 Omit the section, insert instead :—

4. (1) The Board shall consist of not less than Members.
14, and not more than 16, members comprising—

- (a) 6 persons appointed by the Minister, being
the persons referred to in subsection (2);
- 10 (b) not less than 6, and not more than 8, persons
appointed by the Minister, being the
persons referred to in subsection (3);
- (c) the person for the time being holding or
acting in the office of Director; and
- 15 (d) the person for the time being holding or
acting in the office prescribed by the by-laws
for the purposes of this paragraph.

(2) The persons to be appointed pursuant to
subsection (1) (a) shall comprise—

- 20 (a) 2 members of the staff of the Conservator-
ium who—
- (i) have the prescribed qualifications
and experience which may be the
same for both of them or different
- 25 for each of them; and

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (ii) are elected as prescribed, whether
that prescription is the same for
both of them or different for each
of them;

(b) a student of the Conservatorium who—

10 (i) has the prescribed qualifications and
experience; and

(ii) is elected as prescribed;

(c) a person elected, as prescribed, by the
persons who, but for this paragraph, would
comprise the Board;

15 (d) a person who is an officer of the Public
Service employed in a Department of the
Government administered by the Minister;
and

(e) an officer of the Public Service who—

20 (i) is experienced in cultural matters;
and

(ii) is nominated by the Premier.

25 (3) The persons to be appointed pursuant to
subsection (1) (b) shall comprise such persons as
the Minister considers to be suitable for appointment
after he has consulted such persons as he thinks fit.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (4) Subject to this Act, the members (other
than the members referred to in subsection (1) (c)
and (d)) hold office—

(a) in the case of a member referred to in sub-
section (2) (a), (b) or (c)—until—

10 (i) the expiration of such period as is
prescribed in respect of that mem-
ber; or

(ii) the accession to office of his suc-
cessor,

whichever is the later; and

15 (b) in the case of a member referred to in sub-
section (2) (d) or (e) or subsection (3)—
for such period not exceeding 4 years as is
specified (whether by reference to the expiry
20 date of the period or otherwise) in the
instrument of his appointment.

(5) A person may not be appointed as a
member if he is of or above the age of 70 years.

25 (6) The provisions of the Public Service Act,
1902, do not apply to the appointment of a member
and a member is not, as a member, subject to the
provisions of that Act.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(2) Section 5—

5 Omit the section, insert instead :—

5. (1) A member (other than a member referred to in subsection (1) (c) or (d)) vacates his office, and there is a casual vacancy in his office, if—

- (a) he attains the age of 70 years;
- 10 (b) he dies;
- (c) he becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under
15 detention under Part VII of that Act;
- (d) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his
20 estate for their benefit;
- (e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for 12 months or longer, or if he is convicted outside New South Wales
25 of an offence which, if committed in New South Wales, would be a felony or misdemeanour so punishable;
- (f) he resigns his office by writing under his
30 hand addressed to the Minister and his resignation is accepted;

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- 5 (g) he is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to him personally or in the ordinary course of post and is not, within 6 weeks after the last of those meetings, excused by the Board for his absence;
- 10 (h) being a member referred to in section 4 (2) (a), he ceases to be a member of the staff of the Conservatorium;
- 15 (i) being the member referred to in section 4 (2) (b), he ceases to be a student of the Conservatorium;
- (j) being a member referred to in section 4 (2) (d) or (e), he ceases to be an officer of the Public Service; or
- (k) he is removed from office by the Minister.
- 20 (2) The Minister may, for any cause which appears to him to be sufficient, remove from office a member referred to in section 4 (2) (d) or section 4 (3).
- 25 (3) Where a casual vacancy occurs in the office of a member of the Board, the vacancy shall be filled—
- (a) by the Minister appointing a person as prescribed by the by-laws in relation to the office vacated; or

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

5 (b) where the by-laws do not provide for the
filling of the vacancy—by the Minister
appointing a person eligible for appoint-
ment in the same way as the member who
vacated his office.

10 (4) A member appointed to fill a casual
vacancy holds office as a member for the balance of
the term of office of his predecessor.

(3) Section 6—

Omit the section, insert instead :—

15 6. (1) The Chairman and Deputy Chairman of Election of
the Board shall be elected and hold office as prescribed Chairman,
and shall have such powers and duties as are etc.
prescribed.

20 (2) At a meeting of the Board from which the
Chairman and Deputy Chairman are absent, the
members present at the meeting shall elect one of their
number to preside at the meeting.

(4) Section 7 (3)—

Omit "four", insert instead "8".

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(5) Section 16 (1) (aa)—

5 After section 16 (1) (a), insert :—

(aa) the election of the elected members of the Board and their accession to office and the election of the Chairman and Deputy Chairman of the Board and their terms of office;

10

SCHEDULE 2.

Sec. 6.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 12 (b)—

Omit the paragraph, insert instead :—

15

(b) subject to the approval of the Minister, the establishment, maintenance and control, whether or not by agreement with any person, of branches of the Conservatorium within New South Wales;

(b) Section 12 (2), (3), (4)—

20

At the end of section 12, insert :—

(2) The Board may, within such limits, to such extent and upon such conditions (as to security or otherwise) as the Governor upon the recommendation of the Treasurer approves,

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 borrow money for the purpose of exercising or performing any of its powers, authorities, duties or functions, the renewal of loans or the discharge of its debts.

(3) The Board may invest any funds belonging to or vested in the Board—

10 (a) in the manner for the time being authorised by law for the investment of trust funds; or

15 (b) in any manner approved by the Governor on the recommendation of the Treasurer, either generally or in a particular case or class of cases,

unless a condition upon which the funds were acquired by the Board provides for their investment in some other manner.

20 (4) The Public Service Board may, in relation to the Board constituted under this Act, exercise its powers under section 11A of the Public Service Act, 1902, in the same way as it may exercise them in relation to an officer.

(2) Section 15A—

25 After section 15, insert :—

15A. (1) The Board may, by resolution, delegate ^{Delegation} to the Director or an officer or employee appointed ^{by Board.} and employed under section 11 or to a committee

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 appointed by the Board the exercise or performance
of any power, authority, duty or function of the Board
other than—

- (a) a power, authority, duty or function dele-
gated to the Board under section 12 (4);
and
- 10 (b) the power of delegation conferred on it by
this section.

15 (2) A delegation under this section may be
made subject to such conditions or limitations as to
the exercise or performance of the delegated power,
authority, duty or function, or as to time or circum-
stance, as may be specified by the delegation resolu-
tion.

(3) The delegation under this section of a
power, authority, duty or function does not prevent its
exercise or performance by the Board.

20 (4) Any act or thing done or suffered by a
delegate when acting in the exercise of a delegation
under this section has the same force and effect as it
would have had if it had been done or suffered by the
Board.

25 (5) The Board may, by resolution, revoke
a delegation under this section.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(3) (a) Section 16 (1) (ba)—

After section 16 (1) (b), insert :—

- 5 (ba) the discipline of students at the Conservatorium and the imposition of penalties for breaches of discipline by those students;

(b) Section 16 (1) (c)—

Omit the paragraph, insert instead :—

- 10 (c) the conferring of awards, the conduct of examinations and the acceptance of specified qualifications as the equivalent of specified examination results;

SCHEDULE 3.

Sec. 6.

15 AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 1 (2)—

Omit “subsection three of this section”, insert instead “subsection (3)”.

20 (b) Section 1 (3)—

Omit “subsection two of this section”, insert instead “subsection (2)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(2) (a) Section 11 (1)—

5 Omit “as amended by subsequent Acts,”.

(b) Section 11 (2)—

Omit “and any Act amending that Act,”.

(3) Section 12 (a)—

Omit “of this section”.

10 (4) (a) Section 13 (2)—

Omit “relating to perpetuities shall not”, insert
instead “against remoteness of vesting does not”.

(b) Section 13 (3)—

15 Omit “or in any Act amending that Act, whether
passed before or after the commencement of this
Act,”.

(5) Section 15 (2)—

Omit “and Acts amending the same,”.

(6) (a) Section 16 (1)—

20 Omit “paragraph (b) of section twelve of this
Act”, insert instead “section 12 (b)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(b) Section 16 (4)—

5 Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

Act 2000, House Bill 2000, Chapter of House (Chapter 2000)

SCHEDULE 3 - CONTINUED

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE

Law Division - continued

(b) Section 16 (4) -

On the 1st day of January 1977

2

(c) Section 17 (1) of the Interpretation Act
1977 applies in respect of the law which
has been passed in the course of the
interpretation of the Act 1977

**NEW SOUTH WALES STATE CONSERVATORIUM
OF MUSIC AMENDMENT ACT, 1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 119, 1977.

An Act to amend the New South Wales State Conservatorium of Music Act, 1965, to reconstitute The Board of Governors of the Conservatorium, to clarify the borrowing and investment powers of that Board and to remove restrictions on the type of academic awards that may be made by that Board. [Assented to, 9th December, 1977.]

BE

New South Wales State Conservatorium of Music (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 :—

Short title.

1. This Act may be cited as the "New South Wales State Conservatorium of Music (Amendment) Act, 1977".

Commence-
ment.

2. (1) This section, sections 1, 3 and 4 and Schedule 3 shall commence on the date of assent to this Act.

(2) For the purposes only of the election and appointment of members of The Board of Governors of the New South Wales State Conservatorium of Music as reconstituted under the Principal Act, as amended by this Act, and of matters necessary for or incidental to that election, appointment and reconstitution, section 5 and Schedule 1 shall commence on the date of assent to this Act.

(3) Subject to subsection (2), sections 5 and 7 and Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(4) Section 6 shall, in its application to a provision of Schedules 2 and 3, commence on the day on which that provision commences.

(5) The several provisions of Schedule 2 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal
Act.

3. The New South Wales State Conservatorium of Music Act, 1965, is in this Act referred to as the Principal Act.

4.

New South Wales State Conservatorium of Music (Amendment).

4. This Act contains the following Schedules :—

Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL
ACT RECONSTITUTING THE BOARD OF GOVERNORS.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL
ACT.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL
ACT BY WAY OF STATUTE LAW REVISION.

5. The Principal Act is amended in the manner set forth in Schedule 1.

**Amendment
of Act No.
5, 1965.**

6. The Principal Act is further amended in the manner set forth in Schedules 2 and 3.

**Further
amendment
of Act No.
5, 1965.**

7. (1) In this section—

**Reconstitu-
tion of
Board.**

“appointed day” means the day appointed and notified under section 2 (3);

“Board” means The Board of Governors of the New South Wales State Conservatorium of Music.

(2) On and from the appointed day the Board shall be reconstituted as provided by the Principal Act, as amended by this Act.

(3) Nothing in this Act prejudices or affects the continuity of the body corporate constituted under section 3 of the Principal Act.

(4) The members of the Board reconstituted as provided by the Principal Act, as amended by this Act, shall assume office on the appointed day.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

Sec. 5.

SCHEDULE 1.

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS.

(1) Section 4—

Omit the section, insert instead :—

Members.

4. (1) The Board shall consist of not less than 14, and not more than 16, members comprising—

- (a) 6 persons appointed by the Minister, being the persons referred to in subsection (2);
- (b) not less than 6, and not more than 8, persons appointed by the Minister, being the persons referred to in subsection (3);
- (c) the person for the time being holding or acting in the office of Director; and
- (d) the person for the time being holding or acting in the office prescribed by the by-laws for the purposes of this paragraph.

(2) The persons to be appointed pursuant to subsection (1) (a) shall comprise—

- (a) 2 members of the staff of the Conservatorium who—
 - (i) have the prescribed qualifications and experience which may be the same for both of them or different for each of them; and

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- (ii) are elected as prescribed, whether that prescription is the same for both of them or different for each of them;
 - (b) a student of the Conservatorium who—
 - (i) has the prescribed qualifications and experience; and
 - (ii) is elected as prescribed;
 - (c) a person elected, as prescribed, by the persons who, but for this paragraph, would comprise the Board;
 - (d) a person who is an officer of the Public Service employed in a Department of the Government administered by the Minister; and
 - (e) an officer of the Public Service who—
 - (i) is experienced in cultural matters; and
 - (ii) is nominated by the Premier.
- (3) The persons to be appointed pursuant to subsection (1) (b) shall comprise such persons as the Minister considers to be suitable for appointment after he has consulted such persons as he thinks fit.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(4) Subject to this Act, the members (other than the members referred to in subsection (1) (c) and (d)) hold office—

(a) in the case of a member referred to in subsection (2) (a), (b) or (c)—until—

(i) the expiration of such period as is prescribed in respect of that member; or

(ii) the accession to office of his successor,

whichever is the later; and

(b) in the case of a member referred to in subsection (2) (d) or (e) or subsection (3)—for such period not exceeding 4 years as is specified (whether by reference to the expiry date of the period or otherwise) in the instrument of his appointment.

(5) A person may not be appointed as a member if he is of or above the age of 70 years.

(6) The provisions of the Public Service Act, 1902, do not apply to the appointment of a member and a member is not, as a member, subject to the provisions of that Act.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(2) Section 5—

Omit the section, insert instead :—

5. (1) A member (other than a member referred to in subsection (1) (c) or (d)) vacates his office, and there is a casual vacancy in his office, if—

- (a) he attains the age of 70 years;
- (b) he dies;
- (c) he becomes a temporary patient, 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;
- (d) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his estate for their benefit;
- (e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for 12 months or longer, or if he is convicted outside New South Wales of an offence which, if committed in New South Wales, would be a felony or misdemeanour so punishable;
- (f) he resigns his office by writing under his hand addressed to the Minister and his resignation is accepted;

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- (g) he is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to him personally or in the ordinary course of post and is not, within 6 weeks after the last of those meetings, excused by the Board for his absence;
- (h) being a member referred to in section 4 (2) (a), he ceases to be a member of the staff of the Conservatorium;
- (i) being the member referred to in section 4 (2) (b), he ceases to be a student of the Conservatorium;
- (j) being a member referred to in section 4 (2) (d) or (e), he ceases to be an officer of the Public Service; or
- (k) he is removed from office by the Minister.

(2) The Minister may, for any cause which appears to him to be sufficient, remove from office a member referred to in section 4 (2) (d) or section 4 (3).

(3) Where a casual vacancy occurs in the office of a member of the Board, the vacancy shall be filled—

- (a) by the Minister appointing a person as prescribed by the by-laws in relation to the office vacated; or

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(b) where the by-laws do not provide for the filling of the vacancy—by the Minister appointing a person eligible for appointment in the same way as the member who vacated his office.

(4) A member appointed to fill a casual vacancy holds office as a member for the balance of the term of office of his predecessor.

(3) Section 6—

Omit the section, insert instead :—

6. (1) The Chairman and Deputy Chairman of the Board shall be elected and hold office as prescribed and shall have such powers and duties as are prescribed. ^{Election of Chairman, etc.}

(2) At a meeting of the Board from which the Chairman and Deputy Chairman are absent, the members present at the meeting shall elect one of their number to preside at the meeting.

(4) Section 7 (3)—

Omit “four”, insert instead “8”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(5) Section 16 (1) (aa)—

After section 16 (1) (a), insert :—

- (aa) the election of the elected members of the Board and their accession to office and the election of the Chairman and Deputy Chairman of the Board and their terms of office;
-

Sec. 6.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 12 (b)—

Omit the paragraph, insert instead :—

- (b) subject to the approval of the Minister, the establishment, maintenance and control, whether or not by agreement with any person, of branches of the Conservatorium within New South Wales;

(b) Section 12 (2), (3), (4)—

At the end of section 12, insert :—

- (2) The Board may, within such limits, to such extent and upon such conditions (as to security or otherwise) as the Governor upon the recommendation of the Treasurer approves,

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

borrow money for the purpose of exercising or performing any of its powers, authorities, duties or functions, the renewal of loans or the discharge of its debts.

(3) The Board may invest any funds belonging to or vested in the Board—

(a) in the manner for the time being authorised by law for the investment of trust funds; or

(b) in any manner approved by the Governor on the recommendation of the Treasurer, either generally or in a particular case or class of cases,

unless a condition upon which the funds were acquired by the Board provides for their investment in some other manner.

(4) The Public Service Board may, in relation to the Board constituted under this Act, exercise its powers under section 11A of the Public Service Act, 1902, in the same way as it may exercise them in relation to an officer.

(2) Section 15A—

After section 15, insert :—

15A. (1) The Board may, by resolution, delegate ^{Delegation} to the Director or an officer or employee appointed ^{by Board.} and employed under section 11 or to a committee

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—continued.**AMENDMENTS TO THE PRINCIPAL ACT—continued.**

appointed by the Board the exercise or performance of any power, authority, duty or function of the Board other than—

- (a) a power, authority, duty or function delegated to the Board under section 12 (4); and
- (b) the power of delegation conferred on it by this section.

(2) A delegation under this section may be made subject to such conditions or limitations as to the exercise or performance of the delegated power, authority, duty or function, or as to time or circumstance, as may be specified by the delegation resolution.

(3) The delegation under this section of a power, authority, duty or function does not prevent its exercise or performance by the Board.

(4) Any act or thing done or suffered by a delegate when acting in the exercise of a delegation under this section has the same force and effect as it would have had if it had been done or suffered by the Board.

(5) The Board may, by resolution, revoke a delegation under this section.

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(3) (a) Section 16 (1) (ba)—

After section 16 (1) (b), insert :—

- (ba) the discipline of students at the Conservatorium and the imposition of penalties for breaches of discipline by those students;

(b) Section 16 (1) (c)—

Omit the paragraph, insert instead :—

- (c) the conferring of awards, the conduct of examinations and the acceptance of specified qualifications as the equivalent of specified examination results;

SCHEDULE 3.

Sec. 6.

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.

(1) (a) Section 1 (2)—

Omit “subsection three of this section”, insert instead “subsection (3)”.

(b) Section 1 (3)—

Omit “subsection two of this section”, insert instead “subsection (2)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(2) (a) Section 11 (1)—

Omit “as amended by subsequent Acts,”.

(b) Section 11 (2)—

Omit “and any Act amending that Act,”.

(3) Section 12 (a)—

Omit “of this section”.

(4) (a) Section 13 (2)—

Omit “relating to perpetuities shall not”, insert instead “against remoteness of vesting does not”.

(b) Section 13 (3)—

Omit “or in any Act amending that Act, whether passed before or after the commencement of this Act,”.

(5) Section 15 (2)—

Omit “and Acts amending the same,”.

(6) (a) Section 16 (1)—

Omit “paragraph (b) of section twelve of this Act”, insert instead “section 12 (b)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(b) Section 16 (4)—

Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

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

1914-15-16

THE UNIVERSITY OF CHICAGO

CHICAGO, ILL.

TO THE PRESIDENT OF THE UNIVERSITY OF CHICAGO

FROM THE FACULTY

RESOLUTION

Resolved, That the Faculty of the University of Chicago
do hereby express its appreciation of the services of
the President of the University of Chicago

BY THE FACULTY

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 November, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 119, 1977.

An Act to amend the New South Wales State Conservatorium of Music Act, 1965, to reconstitute The Board of Governors of the Conservatorium, to clarify the borrowing and investment powers of that Board and to remove restrictions on the type of academic awards that may be made by that Board. [Assented to, 9th December, 1977.]

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

New South Wales State Conservatorium of Music (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 :—

Short title.

1. This Act may be cited as the "New South Wales State Conservatorium of Music (Amendment) Act, 1977".

Commence-
ment.

2. (1) This section, sections 1, 3 and 4 and Schedule 3 shall commence on the date of assent to this Act.

(2) For the purposes only of the election and appointment of members of The Board of Governors of the New South Wales State Conservatorium of Music as reconstituted under the Principal Act, as amended by this Act, and of matters necessary for or incidental to that election, appointment and reconstitution, section 5 and Schedule 1 shall commence on the date of assent to this Act.

(3) Subject to subsection (2), sections 5 and 7 and Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(4) Section 6 shall, in its application to a provision of Schedules 2 and 3, commence on the day on which that provision commences.

(5) The several provisions of Schedule 2 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal
Act.

3. The New South Wales State Conservatorium of Music Act, 1965, is in this Act referred to as the Principal Act.

4.

New South Wales State Conservatorium of Music (Amendment).

4. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL
ACT RECONSTITUTING THE BOARD OF GOVERNORS.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL
ACT.

SCHEDULE 3.—AMENDMENTS TO THE PRINCIPAL
ACT BY WAY OF STATUTE LAW REVISION.

5. The Principal Act is amended in the manner set forth in Schedule 1. Amendment
of Act No.
5, 1965.

6. The Principal Act is further amended in the manner set forth in Schedules 2 and 3. Further
amendment
of Act No.
5, 1965.

7. (1) In this section— Reconstitu-
tion of
Board.
“appointed day” means the day appointed and notified
under section 2 (3);

“Board” means The Board of Governors of the New
South Wales State Conservatorium of Music.

(2) On and from the appointed day the Board shall
be reconstituted as provided by the Principal Act, as amended
by this Act.

(3) Nothing in this Act prejudices or affects the con-
tinuity of the body corporate constituted under section 3 of
the Principal Act.

(4) The members of the Board reconstituted as pro-
vided by the Principal Act, as amended by this Act, shall
assume office on the appointed day.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

Sec. 5.

SCHEDULE 1.

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS.

(1) Section 4—

Omit the section, insert instead :—

Members.

4. (1) The Board shall consist of not less than
14, and not more than 16, members comprising—

- (a) 6 persons appointed by the Minister, being the persons referred to in subsection (2);
- (b) not less than 6, and not more than 8, persons appointed by the Minister, being the persons referred to in subsection (3);
- (c) the person for the time being holding or acting in the office of Director; and
- (d) the person for the time being holding or acting in the office prescribed by the by-laws for the purposes of this paragraph.

(2) The persons to be appointed pursuant to subsection (1) (a) shall comprise—

- (a) 2 members of the staff of the Conservatorium who—
 - (i) have the prescribed qualifications and experience which may be the same for both of them or different for each of them; and

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(ii) are elected as prescribed, whether that prescription is the same for both of them or different for each of them;

(b) a student of the Conservatorium who—

(i) has the prescribed qualifications and experience; and

(ii) is elected as prescribed;

(c) a person elected, as prescribed, by the persons who, but for this paragraph, would comprise the Board;

(d) a person who is an officer of the Public Service employed in a Department of the Government administered by the Minister; and

(e) an officer of the Public Service who—

(i) is experienced in cultural matters; and

(ii) is nominated by the Premier.

(3) The persons to be appointed pursuant to subsection (1) (b) shall comprise such persons as the Minister considers to be suitable for appointment after he has consulted such persons as he thinks fit.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(4) Subject to this Act, the members (other than the members referred to in subsection (1) (c) and (d)) hold office—

(a) in the case of a member referred to in subsection (2) (a), (b) or (c)—until—

(i) the expiration of such period as is prescribed in respect of that member; or

(ii) the accession to office of his successor,

whichever is the later; and

(b) in the case of a member referred to in subsection (2) (d) or (e) or subsection (3)—for such period not exceeding 4 years as is specified (whether by reference to the expiry date of the period or otherwise) in the instrument of his appointment.

(5) A person may not be appointed as a member if he is of or above the age of 70 years.

(6) The provisions of the Public Service Act, 1902, do not apply to the appointment of a member and a member is not, as a member, subject to the provisions of that Act.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(2) Section 5—

Omit the section, insert instead :—

5. (1) A member (other than a member referred to in subsection (1) (c) or (d)) vacates his office, and there is a casual vacancy in his office, if—

- (a) he attains the age of 70 years;
- (b) he dies;
- (c) he becomes a temporary patient, 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;
- (d) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his estate for their benefit;
- (e) he is convicted in New South Wales of a felony or of a misdemeanour punishable by imprisonment for 12 months or longer, or if he is convicted outside New South Wales of an offence which, if committed in New South Wales, would be a felony or misdemeanour so punishable;
- (f) he resigns his office by writing under his hand addressed to the Minister and his resignation is accepted;

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

- (g) he is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to him personally or in the ordinary course of post and is not, within 6 weeks after the last of those meetings, excused by the Board for his absence;
- (h) being a member referred to in section 4 (2) (a), he ceases to be a member of the staff of the Conservatorium;
- (i) being the member referred to in section 4 (2) (b), he ceases to be a student of the Conservatorium;
- (j) being a member referred to in section 4 (2) (d) or (e), he ceases to be an officer of the Public Service; or
- (k) he is removed from office by the Minister.

(2) The Minister may, for any cause which appears to him to be sufficient, remove from office a member referred to in section 4 (2) (d) or section 4 (3).

(3) Where a casual vacancy occurs in the office of a member of the Board, the vacancy shall be filled—

- (a) by the Minister appointing a person as prescribed by the by-laws in relation to the office vacated; or

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—*continued.*

(b) where the by-laws do not provide for the filling of the vacancy—by the Minister appointing a person eligible for appointment in the same way as the member who vacated his office.

(4) A member appointed to fill a casual vacancy holds office as a member for the balance of the term of office of his predecessor.

(3) Section 6—

Omit the section, insert instead :—

6. (1) The Chairman and Deputy Chairman of the Board shall be elected and hold office as prescribed and shall have such powers and duties as are prescribed. ^{Election of Chairman, etc.}

(2) At a meeting of the Board from which the Chairman and Deputy Chairman are absent, the members present at the meeting shall elect one of their number to preside at the meeting.

(4) Section 7 (3)—

Omit "four", insert instead "8".

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 1—continued.

**AMENDMENTS TO THE PRINCIPAL ACT RECONSTITUTING THE
BOARD OF GOVERNORS—continued.**

(5) Section 16 (1) (aa)—

After section 16 (1) (a), insert :—

- (aa) the election of the elected members of the Board and their accession to office and the election of the Chairman and Deputy Chairman of the Board and their terms of office;
-

Sec. 6.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 12 (b)—

Omit the paragraph, insert instead :—

- (b) subject to the approval of the Minister, the establishment, maintenance and control, whether or not by agreement with any person, of branches of the Conservatorium within New South Wales;

(b) Section 12 (2), (3), (4)—

At the end of section 12, insert :—

- (2) The Board may, within such limits, to such extent and upon such conditions (as to security or otherwise) as the Governor upon the recommendation of the Treasurer approves,

SCHEDULE

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

borrow money for the purpose of exercising or performing any of its powers, authorities, duties or functions, the renewal of loans or the discharge of its debts.

(3) The Board may invest any funds belonging to or vested in the Board—

(a) in the manner for the time being authorised by law for the investment of trust funds; or

(b) in any manner approved by the Governor on the recommendation of the Treasurer, either generally or in a particular case or class of cases,

unless a condition upon which the funds were acquired by the Board provides for their investment in some other manner.

(4) The Public Service Board may, in relation to the Board constituted under this Act, exercise its powers under section 11A of the Public Service Act, 1902, in the same way as it may exercise them in relation to an officer.

(2) Section 15A—

After section 15, insert :—

15A. (1) The Board may, by resolution, delegate to the Director or an officer or employee appointed and employed under section 11 or to a committee

Delegation
by Board.

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—continued.**AMENDMENTS TO THE PRINCIPAL ACT—continued.**

appointed by the Board the exercise or performance of any power, authority, duty or function of the Board other than—

- (a) a power, authority, duty or function delegated to the Board under section 12 (4); and
- (b) the power of delegation conferred on it by this section.

(2) A delegation under this section may be made subject to such conditions or limitations as to the exercise or performance of the delegated power, authority, duty or function, or as to time or circumstance, as may be specified by the delegation resolution.

(3) The delegation under this section of a power, authority, duty or function does not prevent its exercise or performance by the Board.

(4) Any act or thing done or suffered by a delegate when acting in the exercise of a delegation under this section has the same force and effect as it would have had if it had been done or suffered by the Board.

(5) The Board may, by resolution, revoke a delegation under this section.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 2—continued.

AMENDMENTS TO THE PRINCIPAL ACT—continued.

(3) (a) Section 16 (1) (ba)—

After section 16 (1) (b), insert :—

- (ba) the discipline of students at the Conservatorium and the imposition of penalties for breaches of discipline by those students;

(b) Section 16 (1) (c)—

Omit the paragraph, insert instead :—

- (c) the conferring of awards, the conduct of examinations and the acceptance of specified qualifications as the equivalent of specified examination results;

SCHEDULE 3.

Sec. 6.

**AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.**

(1) (a) Section 1 (2)—

Omit “subsection three of this section”, insert instead “subsection (3)”.

(b) Section 1 (3)—

Omit “subsection two of this section”, insert instead “subsection (2)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(2) (a) Section 11 (1)—

Omit “as amended by subsequent Acts,”.

(b) Section 11 (2)—

Omit “and any Act amending that Act,”.

(3) Section 12 (a)—

Omit “of this section”.

(4) (a) Section 13 (2)—

Omit “relating to perpetuities shall not”, insert
instead “against remoteness of vesting does not”.

(b) Section 13 (3)—

Omit “or in any Act amending that Act, whether
passed before or after the commencement of this
Act,”.

(5) Section 15 (2)—

Omit “and Acts amending the same,”.

(6) (a) Section 16 (1)—

Omit “paragraph (b) of section twelve of this
Act”, insert instead “section 12 (b)”.

SCHEDULE

New South Wales State Conservatorium of Music (Amendment).

SCHEDULE 3—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(b) Section 16 (4)—

Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of a by-law as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1977.*

That the Commission of the State of New York

do hereby certify that

the following is a true and correct copy of the

original as the same appears in the files of the

Commission of the State of New York

in testimony whereof

I have hereunto set my hand and the seal of the

Commission of the State of New York

this 1st day of January, 1907

at Albany, New York

Witness my hand and the seal of the Commission of the State of New York

this 1st day of January, 1907

at Albany, New York

Commissioner of the State of New York