

**UNIVERSITY AND UNIVERSITY COLLEGES
(CONSTITUTION) AMENDMENT BILL, 1978**

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 Senate of the University of Sydney 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.

**UNIVERSITY AND UNIVERSITY COLLEGES
(CONSTITUTION) AMENDMENT BILL, 1978**

No. _____, 1978.

A BILL FOR

**An Act to amend the University and University Colleges Act, 1900,
with respect to the election of a member of the Legislative
Council as a member of the Senate of the University of Sydney.**

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

University and University Colleges (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 "University and University Colleges (Constitution) Amendment Act, 1978". Short title.

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

10 (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.

15 **3.** The University and University Colleges Act, 1900, is amended— Amendment of Act No. 22, 1900.

(a) by omitting section 7 (2) (a) (i) and by inserting instead the following subparagraph :— Sec. 7. (University to consist of a Senate.)

20 (i) as soon as practicable after each periodic Council election within the meaning of section 3 of the Constitution Act, 1902; or

(b) (i) by omitting section 9 (h) and by inserting instead the following paragraph :— Sec. 9. (Vacation of office of Fellow.)

25 (h) ceases, in the case of a Fellow referred to in section 7 (1) (b)—

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

University and University Colleges (Constitution) Amendment.

5 (ii) 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;

10 (ii) by omitting section 9 (i) (ii) and by inserting instead the following subparagraph :—

15 (ii) to be a member of the Legislative 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;

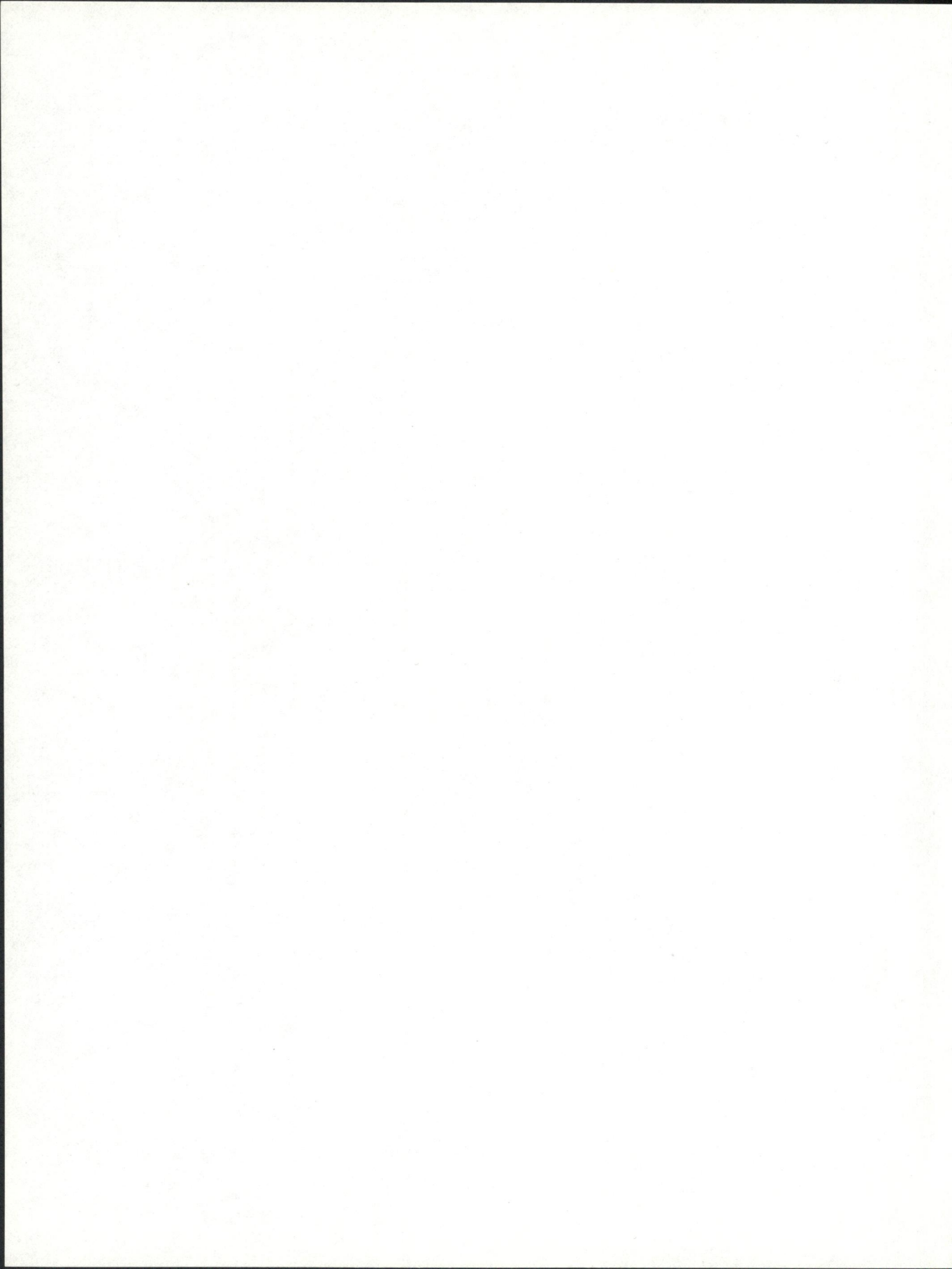
20 **4.** Notwithstanding section 3, a Fellow of the Senate of the ^{Saving.} University of Sydney who was elected by the Legislative Council and who is holding that office immediately before the commencement of that section does not cease to hold that office until—

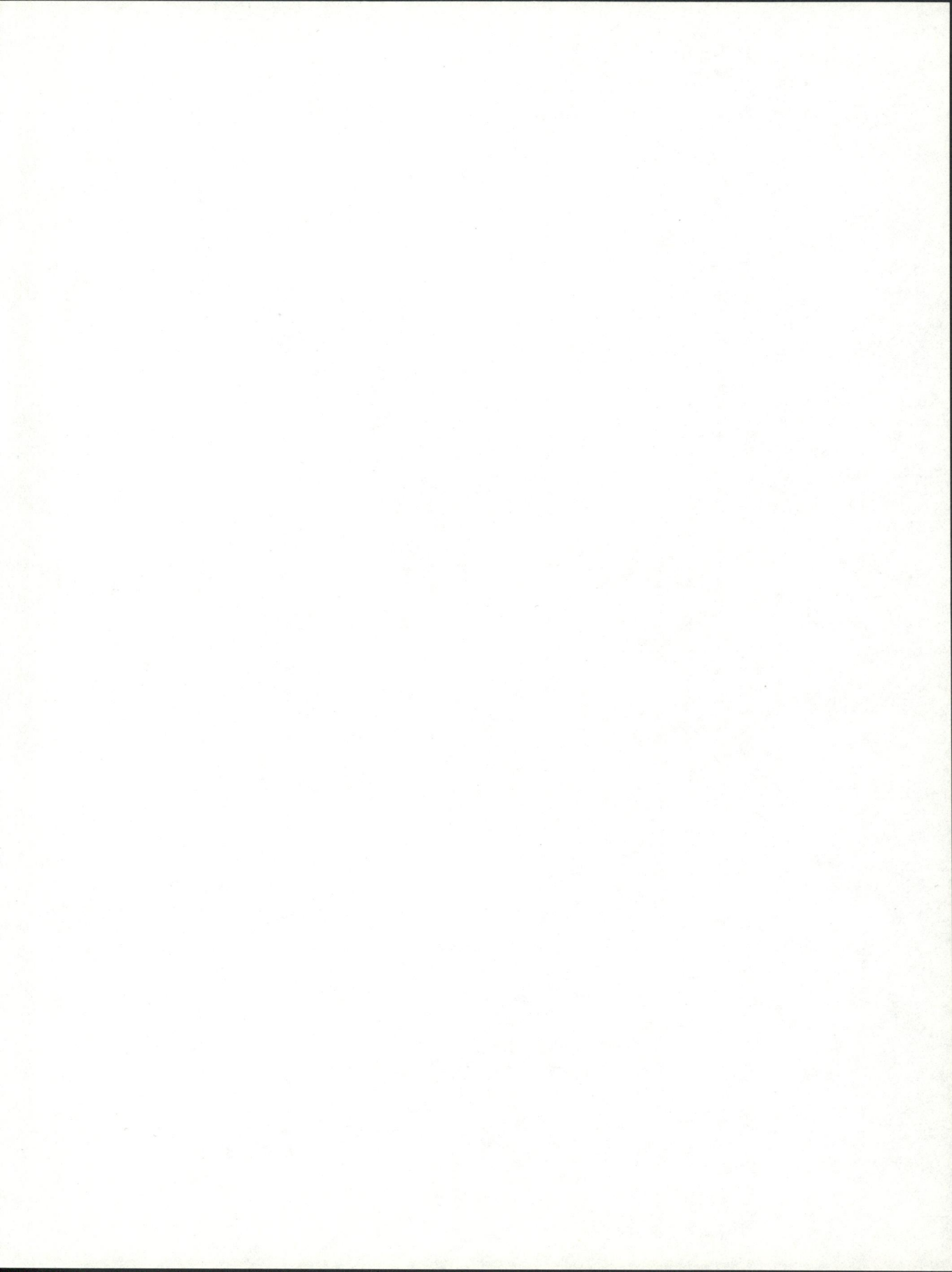
- 25 (a) the Legislative Council elects one of its members to replace him; or
- (b) he ceases to hold that office pursuant to the University and University Colleges Act, 1900, as in force immediately before that commencement,

whichever first occurs.

BY AUTHORITY

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





**UNIVERSITY AND UNIVERSITY COLLEGES
(CONSTITUTION) AMENDMENT ACT, 1978, No. 87**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 87, 1978.

An Act to amend the University and University Colleges Act, 1900,
with respect to the election of a member of the Legislative
Council as a member of the Senate of the University of Sydney.
[Assented to, 11th September, 1978.]

University and University Colleges (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 :—

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

Commence- **2.** (1) This section and section 1 shall commence on the date
ment. 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 **3.** The University and University Colleges Act, 1900, is
of Act No. amended—
22, 1900.

Sec. 7. (a) by omitting section 7 (2) (a) (i) and by inserting
(University instead the following subparagraph :—
to consist (i) as soon as practicable after each periodic Council
of a election within the meaning of section 3 of the
Senate.) Constitution Act, 1902; or

Sec. 9. (b) (i) by omitting section 9 (h) and by inserting instead
(Vacation the following paragraph :—
of office (h) ceases, in the case of a Fellow referred to
of Fellow.) in section 7 (1) (b)—

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

University and University Colleges (Constitution) Amendment.

- (ii) 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;
- (ii) by omitting section 9 (i) (ii) and by inserting instead the following subparagraph :—
 - (ii) to be a member of the Legislative 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 Fellow of the Senate of the ^{Saving.} University of Sydney 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
- (b) he ceases to hold that office pursuant to the University and University Colleges Act, 1900, 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.*

