

**UNIVERSITY OF NEW SOUTH WALES (CONSTITUTION)  
AMENDMENT BILL, 1978**

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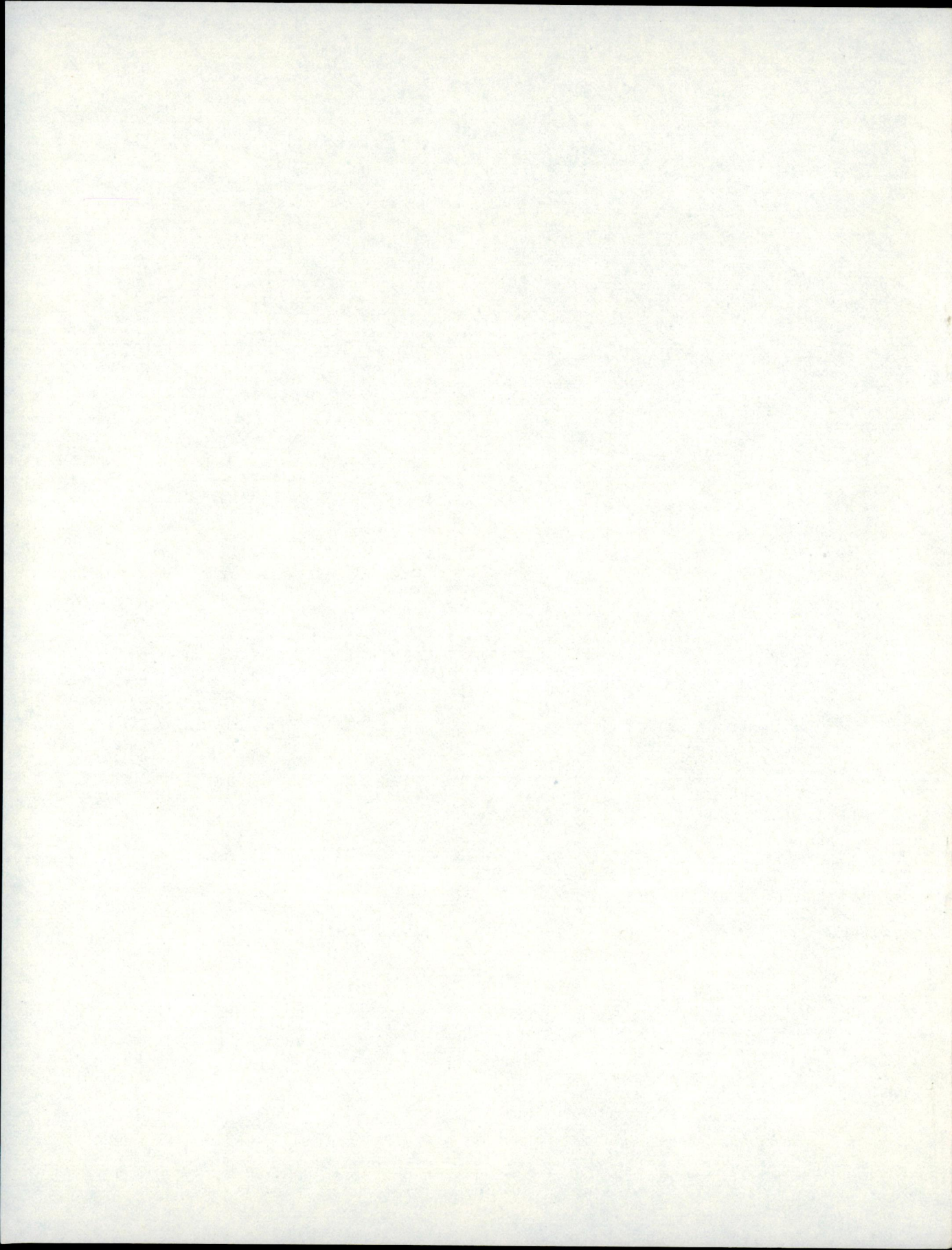
**EXPLANATORY NOTE**

**(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 the University of New South Wales 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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**UNIVERSITY OF NEW SOUTH WALES  
(CONSTITUTION) AMENDMENT BILL, 1978**

No. , 1978.

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**A BILL FOR**

An Act to amend the University of New South Wales Act, 1968,  
with respect to the election of a member of the Legislative  
Council to the Council of the University of New South Wales.

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

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*University of New South Wales (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 :—

5 **1.** This Act may be cited as the “University of New South Short title.  
Wales (Constitution) Amendment Act, 1978”.

**2.** (1) This section and section 1 shall commence on the date Commence-  
of assent to this Act. 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 mean-  
ing ascribed thereto by section 16 of the Constitution Act,  
1902.

**3.** The University of New South Wales Act, 1968, is Amendment  
15 amended— of Act No.  
37, 1968.

(a) by omitting section 8 (3) (a) and by inserting instead Sec. 8.  
the following paragraph :— (The  
Council.)

(a) 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; and

*University of New South Wales (Constitution) Amendment.*

(b) (i) by omitting section 9 (f) and by inserting instead the following paragraph :—

Sec. 9.  
(Vacation  
of office.)

(f) in the case of a parliamentary member elected by the Legislative Council—

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

10 (ii) ceases to be a member of that 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 9 (g) (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 the University of New South Wales 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  
30 until—

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

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*University of New South Wales (Constitution) Amendment.*

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- (b) he ceases to hold that office pursuant to the University of New South Wales Act, 1968, as in force immediately before that commencement,

whichever first occurs.

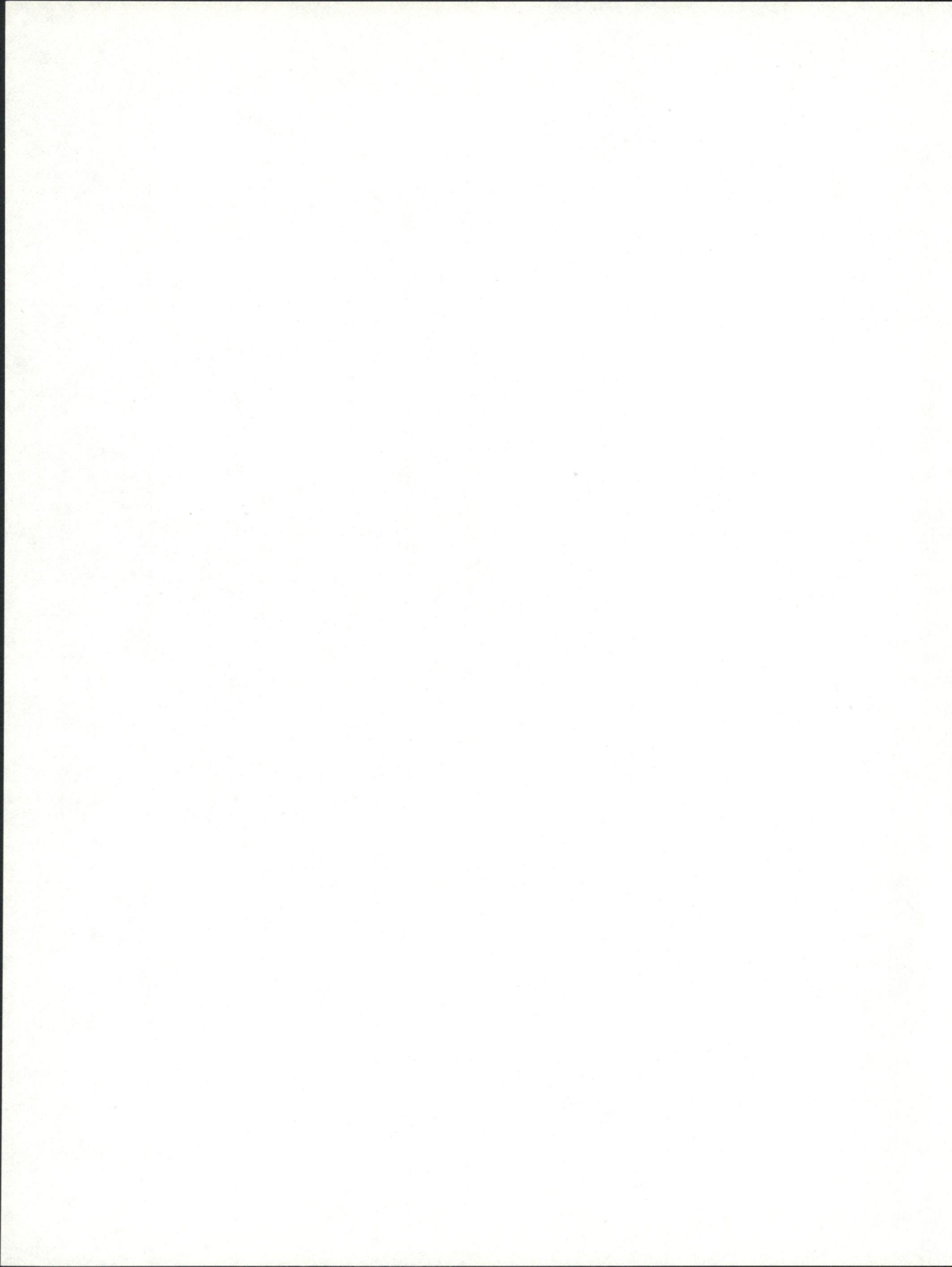
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BY AUTHORITY

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

[8c]







**UNIVERSITY OF NEW SOUTH WALES  
(CONSTITUTION) AMENDMENT ACT, 1978, No. 90**

**New South Wales**



**ANNO VICESIMO SEPTIMO**

**ELIZABETHÆ II REGINÆ**

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**Act No. 90, 1978.**

An Act to amend the University of New South Wales Act, 1968,  
with respect to the election of a member of the Legislative  
Council to the Council of the University of New South Wales.  
[Assented to, 11th September, 1978.]

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*University of New South Wales (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 "University of New South Wales (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 of New South Wales Act, 1968, is  
of Act No.     amended—  
37, 1968.

Sec. 8.           (a) by omitting section 8 (3) (a) and by inserting instead  
(The             the following paragraph :—  
Council.)

(a) 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; and

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*University of New South Wales (Constitution) Amendment.*

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(b) (i) by omitting section 9 (f) and by inserting instead the following paragraph :—

Sec. 9.  
(Vacation  
of office.)

(f) in the case of a parliamentary member elected by the Legislative Council—

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

(ii) ceases to be a member of that 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 9 (g) (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 the University of New South Wales 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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*University of New South Wales (Constitution) Amendment.*

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- (b) he ceases to hold that office pursuant to the University of New South Wales Act, 1968, 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.*