

**UNIVERSITY OF NEWCASTLE (CONSTITUTION)  
AMENDMENT ACT, 1978, No. 88**

**New South Wales**



**ANNO VICESIMO SEPTIMO**

**ELIZABETHÆ II REGINÆ**

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**Act No. 88, 1978.**

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

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*University of Newcastle (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 Newcastle (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  
of Act No.  
72, 1964.

**3.** The University of Newcastle Act, 1964, is amended—

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

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

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

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*University of Newcastle (Constitution) Amendment.*

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

Sec. 12.  
(Vacation  
of office.)

(e) being the 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 12 (f) (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 Newcastle 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 Newcastle (Constitution) Amendment.*

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

whichever first occurs.

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

A. R. CUTLER,  
Governor.

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