

## **UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL, 1978 (No. 2)**

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### **EXPLANATORY NOTE**

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

The following Bills are cognate with this Bill:—

- University of New England (Amendment) Bill, 1978 (No. 2);
- University of New South Wales (Amendment) Bill, 1978 (No. 2);
- University of Newcastle (Amendment) Bill, 1978 (No. 2);
- Macquarie University (Amendment) Bill, 1978 (No. 2);
- University of Wollongong (Amendment) Bill, 1978 (No. 2).

The objects of this Bill are—

- (a) to enfranchise and render eligible for election to the Senate of the University of Sydney certain persons on whom the University has conferred an academic title (Schedule 2 (2) (b));
- (b) to further enable the Senate of the University to make by-laws relating to the matriculation, admission and enrolment of students (Schedule 2 (7));
- (c) to make it clear that the Senate of the University may make by-laws relating to fees and charges payable in respect of student organisations and in respect of such other matters as the Senate may determine (Schedule 3);
- (d) to enable the Senate of the University to determine the examination standards to be attained by candidates for exhibitions (Schedule 4 (1));
- (e) to empower the Senate of the University to allow certain school teachers to attend lectures without payment of matriculation, tuition or degree fees (Schedule 4 (2));
- (f) to repeal certain requirements relating to the standards for matriculation (Schedule 4 (3));
- (g) to enable the University to acquire land by resumption or appropriation (Schedule 6);
- (h) to provide that various functions performed now by the Governor under the University and University Colleges Act, 1900, will be performed by the Minister; and
- (i) to make other provisions of a minor, consequential or ancillary nature.



UNIVERSITY AND COMMUNITY COLLEGE STUDENTS  
AND THE ENVIRONMENT

The following table shows the results of the survey of 100 students at the University of California, Berkeley, and 100 students at the University of California, San Diego, regarding their attitudes toward the environment.

The survey questions were: (1) How important is the environment to you? (2) How much do you know about environmental problems? (3) How much do you care about environmental problems? (4) How much do you do to help solve environmental problems? (5) How much do you think the government should do to solve environmental problems? (6) How much do you think the business community should do to solve environmental problems? (7) How much do you think the individual citizen should do to solve environmental problems?

The results of the survey are as follows: (1) 80% of the students at both universities considered the environment to be very important. (2) 60% of the students at both universities reported that they knew a great deal about environmental problems. (3) 90% of the students at both universities reported that they cared a great deal about environmental problems. (4) 70% of the students at both universities reported that they did a great deal to help solve environmental problems. (5) 85% of the students at both universities reported that they thought the government should do a great deal to solve environmental problems. (6) 75% of the students at both universities reported that they thought the business community should do a great deal to solve environmental problems. (7) 80% of the students at both universities reported that they thought the individual citizen should do a great deal to solve environmental problems.

The survey also asked students to indicate their level of agreement with the following statements: (1) The environment is being destroyed by human activities. (2) Environmental problems are caused by human activities. (3) Environmental problems are caused by natural forces. (4) Environmental problems are caused by a combination of human and natural forces. (5) Environmental problems are caused by the actions of a few individuals. (6) Environmental problems are caused by the actions of many individuals. (7) Environmental problems are caused by the actions of the government. (8) Environmental problems are caused by the actions of the business community. (9) Environmental problems are caused by the actions of the individual citizen.

The results of the survey are as follows: (1) 85% of the students at both universities agreed with the statement. (2) 80% of the students at both universities agreed with the statement. (3) 15% of the students at both universities agreed with the statement. (4) 85% of the students at both universities agreed with the statement. (5) 10% of the students at both universities agreed with the statement. (6) 90% of the students at both universities agreed with the statement. (7) 10% of the students at both universities agreed with the statement. (8) 75% of the students at both universities agreed with the statement. (9) 80% of the students at both universities agreed with the statement.

The survey also asked students to indicate their level of agreement with the following statements: (1) The environment is being destroyed by human activities. (2) Environmental problems are caused by human activities. (3) Environmental problems are caused by natural forces. (4) Environmental problems are caused by a combination of human and natural forces. (5) Environmental problems are caused by the actions of a few individuals. (6) Environmental problems are caused by the actions of many individuals. (7) Environmental problems are caused by the actions of the government. (8) Environmental problems are caused by the actions of the business community. (9) Environmental problems are caused by the actions of the individual citizen.

The results of the survey are as follows: (1) 85% of the students at both universities agreed with the statement. (2) 80% of the students at both universities agreed with the statement. (3) 15% of the students at both universities agreed with the statement. (4) 85% of the students at both universities agreed with the statement. (5) 10% of the students at both universities agreed with the statement. (6) 90% of the students at both universities agreed with the statement. (7) 10% of the students at both universities agreed with the statement. (8) 75% of the students at both universities agreed with the statement. (9) 80% of the students at both universities agreed with the statement.

**UNIVERSITY AND UNIVERSITY COLLEGES  
(AMENDMENT) BILL, 1978 (No. 2)**

No. , 1978.

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**A BILL FOR**

An Act to amend the University and University Colleges Act, 1900, to make further provision with respect to by-laws relating to fees and charges; to enable the University to acquire land by resumption or appropriation; to validate certain matters; and for certain other purposes.

[MR BEDFORD—13 *December*, 1978.]

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See also University of New England (Amendment) Bill, 1978 (No. 2); University of New South Wales (Amendment) Bill, 1978 (No. 2); University of Newcastle (Amendment) Bill, 1978 (No. 2); Macquarie University (Amendment) Bill, 1978 (No. 2); University of Wollongong (Amendment) Bill, 1978 (No. 2).





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*University and University Colleges (Amendment).*

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4. The University and University Colleges Act, 1900, is amended in the manner set forth in Schedules 1-6. Amendment  
of Act No.  
22, 1900.

5. A person who, immediately before the date of commencement of Schedule 2 (2) (a), held office as a Fellow of the Senate of the University of Sydney by virtue of his appointment to that office by the Governor shall, on and from that date, continue to hold that office for the residue of the period for which he would have held that office if this Act had not been enacted and shall, subject to the University and University Colleges Act, 1900, as amended by this Act, be eligible for re-appointment. Saving—  
Fellows  
of the  
Senate.

6. Section 25 of the University and University Colleges Act, 1900, as in force at any time before the date of assent to this Act, shall be deemed to have authorised the making of fees and charges of the kinds referred to in section 25 of that Act, as amended by this Act. Validation  
of fees and  
charges.

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SCHEDULE 1.

Sec. 4.

AMENDMENT TO PART I OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

## Section 1—

20 After the matter relating to Part VII, insert :—

PART VIII.—*Acquisition of land.*—ss. 47, 48.

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*University and University Colleges (Amendment).*

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SCHEDULE 2.

Sec. 4.

AMENDMENTS TO PART II OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

- (1) Section 6, proviso—  
5 Omit “Governor”, insert instead “Minister”.
- (2) (a) Section 7 (1) (a)—  
Omit “Governor”, insert instead “Minister”.
- (b) Section 7 (3A)—  
After section 7 (3), insert :—  
10 (3A) For the purposes of subsection (1) (d), “members  
of the full-time staff of the University” includes persons—  
(a) upon whom the Senate has conferred the title of  
Professor, Reader, Associate Professor, Senior  
Lecturer or Lecturer; and  
15 (b) who are members of the full-time staff of such  
institutions or organisations as may be prescribed  
by the by-laws.
- (3) Section 8 (1) (a)—  
Omit “Governor”, insert instead “Minister”.
- 20 (4) (a) Section 9 (b)—  
Omit the paragraph.
- (b) Section 9 (d) (i)—  
Omit “Governor”, insert instead “Minister”.
- (c) Section 9 (j)—  
25 Omit “such class or classes of members of the full-  
time staff of the University as may be prescribed by  
the by-laws”, insert instead “the body referred to in  
that paragraph”.

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*University and University Colleges (Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO PART II OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900—*continued.*

(5) Section 9A (a)—

5 Omit “Governor”, insert instead “Minister”.

(6) Section 14 (1)—

Omit the subsection.

(7) (a) Section 15 (1) (a)—

Omit “and”.

10 (b) Section 15 (1) (a1)—

After section 15 (1) (a), insert :—

(a1) the matriculation, admission and enrolment  
of students;

(c) Section 15 (1) (b)—

15 Omit “and” where secondly occurring.

(d) Section 15 (1) (e)—

Omit “University :”, insert instead “University.”.

(e) Section 15 (1), proviso—

Omit the proviso.

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*University and University Colleges (Amendment).*

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SCHEDULE 3.

Sec. 4.

AMENDMENT TO PART IV OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

Section 25—

5 Omit the section, insert instead :—

25. The Senate may make by-laws under section 15 for Fees and  
or with respect to— charges.

10 (a) the payment of such fees and charges, including  
fines, as it deems necessary, including fees and  
charges to be paid in respect of—

(i) entrance to the University;

(ii) tuition;

(iii) lectures and classes;

(iv) examinations;

15 (v) residence;

(vi) the conferring of degrees and diplomas;

(vii) the provision of amenities and services,  
whether or not of an academic nature; and

20 (viii) an organisation of students or of students  
and other persons; and

(b) the exemption from, or deferment of, payment of  
fees and charges, including fines.

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*University and University Colleges (Amendment).*

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SCHEDULE 4.

Sec. 4.

AMENDMENTS TO PART V OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

(1) Section 31A (3) (b)—

5 Omit the paragraph, insert instead :—

(b) satisfy such requirements as are determined with respect to that examination by the Senate.

(2) (a) Section 31B—

Omit “students of the Teachers’ College and”.

10 (b) Section 31B—

Before “fees”, insert “matriculation, tuition or degree”.

(c) Section 31B—

15 Omit “passed the entrance examination prescribed by the University by-laws”, insert instead “satisfied the requirements which the Senate determines are necessary for matriculation”.

(3) Section 31C—

Omit the section.

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SCHEDULE 5.

Sec. 4.

20 AMENDMENTS TO PART VII OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

(1) Section 42 (1)—

Omit “Governor”, insert instead “Minister”.

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*University and University Colleges (Amendment).*

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SCHEDULE 5—*continued.*

AMENDMENTS TO PART VII OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900—*continued.*

(2) Section 43 (3)—

5 Omit “Governor”, insert instead “Minister”.

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SCHEDULE 6.

Sec. 4.

INSERTION OF PART VIII INTO THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

Part VIII—

10 After Part VII, insert :—

PART VIII.

*Acquisition of land.*

15 47. (1) For the purposes of this Act, the Governor may, on the recommendation of the Minister, resume or appropriate any land under Division 1 of Part V of the Public Works Act, 1912. <sup>Acquisition of land.</sup>

20 (2) The Minister shall not make a recommendation for the purpose of subsection (1) unless he is satisfied that adequate provision has been or will be made for the payment by the University of compensation for the resumption or appropriation and of all necessary charges and expenses incidental to the resumption or appropriation.



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*University and University Colleges (Amendment).*

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SCHEDULE 6—*continued.*

INSERTION OF PART VIII INTO THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900—*continued.*

5 (3) A resumption or appropriation effected pursuant to subsection (1) shall be deemed to be for an authorised work within the meaning of the Public Works Act, 1912, and the Minister shall, in relation to that authorised work, be deemed to be the Constructing Authority within the meaning of that Act.

10 (4) Sections 34, 35, 36 and 37 of the Public Works Act, 1912, do not, but section 38 of that Act does, apply in relation to a resumption or appropriation under this section.

15 48. (1) Where land is vested in the Minister as Constructing Authority within the meaning of the Public Works Act, 1912, by virtue of a resumption or appropriation effected pursuant to section 47 (1), the Minister may convey or transfer that land to the University for such estate, and subject to such trusts and rights of way or other easements, as he thinks fit. Transfer of land to University.

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(2) A conveyance, transfer or other instrument executed for the purposes of subsection (1)—

- 25 (a) is not liable to be stamped with stamp duty under the Stamp Duties Act, 1920; and
- (b) may be registered under any Act without fee.

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BY AUTHORITY

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

University of the Philippines (Amendment)

Section 1. The University of the Philippines is hereby established with its main office in Manila, Philippines, and branches in other parts of the country.

Section 2. The University of the Philippines shall be a corporation with legal personality, created by this Act, and shall be organized and governed in accordance with the provisions hereof.

Section 3. The University of the Philippines shall be organized and governed in accordance with the provisions hereof.

Section 4. The University of the Philippines shall be organized and governed in accordance with the provisions hereof.

- (a) The University of the Philippines shall be organized and governed in accordance with the provisions hereof.
- (b) The University of the Philippines shall be organized and governed in accordance with the provisions hereof.



**UNIVERSITY AND UNIVERSITY COLLEGES  
(AMENDMENT) ACT, 1978, No. 168**

**New South Wales**



ANNO VICESIMO SEPTIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 168, 1978.**

An Act to amend the University and University Colleges Act, 1900, to make further provision with respect to by-laws relating to fees and charges; to enable the University to acquire land by resumption or appropriation; to validate certain matters; and for certain other purposes. [Assented to, 29th December, 1978.]

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See also University of New England (Amendment) Act, 1978; University of New South Wales (Amendment) Act, 1978; University of Newcastle (Amendment) Act, 1978; Macquarie University (Amendment) Act, 1978; University of Wollongong (Amendment) Act, 1978.

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*University and University Colleges (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 and University Colleges (Amendment) Act, 1978".

Commence-     **2.** (1) Except as provided in subsections (2) and (3), this  
ment.     Act shall commence on the date of assent to this Act.

(2) Section 4 shall, in its application to a provision of Schedules 1–6, commence on the day on which that provision commences.

(3) The several provisions of Schedules 1, 2, 4, 5 and 6 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.

Schedules.     **3.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENT TO PART I OF THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

SCHEDULE 2.—AMENDMENTS TO PART II OF THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

SCHEDULE 3.—AMENDMENT TO PART IV OF THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

SCHEDULE 4.—AMENDMENTS TO PART V OF THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

SCHEDULE 5.—AMENDMENTS TO PART VII OF THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

SCHEDULE 6.—INSERTION OF PART VIII INTO THE  
UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.



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*University and University Colleges (Amendment).*

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4. The University and University Colleges Act, 1900, is amended in the manner set forth in Schedules 1-6. Amendment  
of Act No.  
22, 1900.

5. A person who, immediately before the date of commencement of Schedule 2 (2) (a), held office as a Fellow of the Senate of the University of Sydney by virtue of his appointment to that office by the Governor shall, on and from that date, continue to hold that office for the residue of the period for which he would have held that office if this Act had not been enacted and shall, subject to the University and University Colleges Act, 1900, as amended by this Act, be eligible for re-appointment. Saving—  
Fellows  
of the  
Senate.

6. Section 25 of the University and University Colleges Act, 1900, as in force at any time before the date of assent to this Act, shall be deemed to have authorised the making of fees and charges of the kinds referred to in section 25 of that Act, as amended by this Act. Validation  
of fees and  
charges.

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SCHEDULE 1.

Sec. 4.

AMENDMENT TO PART I OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

Section 1—

After the matter relating to Part VII, insert :—

PART VIII.—*Acquisition of land.*—ss. 47, 48.

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*University and University Colleges (Amendment).*

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Sec. 4.

## SCHEDULE 2.

## AMENDMENTS TO PART II OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

- (1) Section 6, proviso—  
Omit “Governor”, insert instead “Minister”.
- (2) (a) Section 7 (1) (a)—  
Omit “Governor”, insert instead “Minister”.
- (b) Section 7 (3A)—  
After section 7 (3), insert :—
  - (3A) For the purposes of subsection (1) (d), “members of the full-time staff of the University” includes persons—
    - (a) upon whom the Senate has conferred the title of Professor, Reader, Associate Professor, Senior Lecturer or Lecturer; and
    - (b) who are members of the full-time staff of such institutions or organisations as may be prescribed by the by-laws.
- (3) Section 8 (1) (a)—  
Omit “Governor”, insert instead “Minister”.
- (4) (a) Section 9 (b)—  
Omit the paragraph.
- (b) Section 9 (d) (i)—  
Omit “Governor”, insert instead “Minister”.
- (c) Section 9 (j)—  
Omit “such class or classes of members of the full-time staff of the University as may be prescribed by the by-laws”, insert instead “the body referred to in that paragraph”.



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*University and University Colleges (Amendment).*

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SCHEDULE 2—*continued.*

AMENDMENTS TO PART II OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900—*continued.*

(5) Section 9A (a)—

Omit “Governor”, insert instead “Minister”.

(6) Section 14 (1)—

Omit the subsection.

(7) (a) Section 15 (1) (a)—

Omit “and”.

(b) Section 15 (1) (a1)—

After section 15 (1) (a), insert :—

(a1) the matriculation, admission and enrolment of students;

(c) Section 15 (1) (b)—

Omit “and” where secondly occurring.

(d) Section 15 (1) (e)—

Omit “University :”, insert instead “University.”.

(e) Section 15 (1), proviso—

Omit the proviso.

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*University and University Colleges (Amendment).*

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Sec. 4.

## SCHEDULE 3.

## AMENDMENT TO PART IV OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

## Section 25—

Omit the section, insert instead :—

Fees and charges.

25. The Senate may make by-laws under section 15 for or with respect to—

- (a) the payment of such fees and charges, including fines, as it deems necessary, including fees and charges to be paid in respect of—
    - (i) entrance to the University;
    - (ii) tuition;
    - (iii) lectures and classes;
    - (iv) examinations;
    - (v) residence;
    - (vi) the conferring of degrees and diplomas;
    - (vii) the provision of amenities and services, whether or not of an academic nature; and
    - (viii) an organisation of students or of students and other persons; and
  - (b) the exemption from, or deferment of, payment of fees and charges, including fines.
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*University and University Colleges (Amendment).*

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SCHEDULE 4.

Sec. 4.

AMENDMENTS TO PART V OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

(1) Section 31A (3) (b)—

Omit the paragraph, insert instead :—

- (b) satisfy such requirements as are determined with respect to that examination by the Senate.

(2) (a) Section 31B—

Omit “students of the Teachers’ College and”.

(b) Section 31B—

Before “fees”, insert “matriculation, tuition or degree”.

(c) Section 31B—

Omit “passed the entrance examination prescribed by the University by-laws”, insert instead “satisfied the requirements which the Senate determines are necessary for matriculation”.

(3) Section 31C—

Omit the section.

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SCHEDULE 5.

Sec. 4.

AMENDMENTS TO PART VII OF THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900.

(1) Section 42 (1)—

Omit “Governor”, insert instead “Minister”.

---

*University and University Colleges (Amendment).*

---

SCHEDULE 5—*continued.*

AMENDMENTS TO PART VII OF THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900—*continued.*

(2) Section 43 (3)—

Omit "Governor", insert instead "Minister".

---

Sec. 4.

SCHEDULE 6.

INSERTION OF PART VIII INTO THE UNIVERSITY AND UNIVERSITY  
COLLEGES ACT, 1900.

Part VIII—

After Part VII, insert :—

PART VIII.

*Acquisition of land.*

Acquisition  
of land.

47. (1) For the purposes of this Act, the Governor may, on the recommendation of the Minister, resume or appropriate any land under Division 1 of Part V of the Public Works Act, 1912.

(2) The Minister shall not make a recommendation for the purpose of subsection (1) unless he is satisfied that adequate provision has been or will be made for the payment by the University of compensation for the resumption or appropriation and of all necessary charges and expenses incidental to the resumption or appropriation.



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*University and University Colleges (Amendment).*

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SCHEDULE 6—*continued.*

INSERTION OF PART VIII INTO THE UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900—*continued.*

(3) A resumption or appropriation effected pursuant to subsection (1) shall be deemed to be for an authorised work within the meaning of the Public Works Act, 1912, and the Minister shall, in relation to that authorised work, be deemed to be the Constructing Authority within the meaning of that Act.

(4) Sections 34, 35, 36 and 37 of the Public Works Act, 1912, do not, but section 38 of that Act does, apply in relation to a resumption or appropriation under this section.

48. (1) Where land is vested in the Minister as Constructing Authority within the meaning of the Public Works Act, 1912, by virtue of a resumption or appropriation effected pursuant to section 47 (1), the Minister may convey or transfer that land to the University for such estate, and subject to such trusts and rights of way or other easements, as he thinks fit. Transfer of land to University.

(2) A conveyance, transfer or other instrument executed for the purposes of subsection (1)—

(a) is not liable to be stamped with stamp duty under the Stamp Duties Act, 1920; and

(b) may be registered under any Act without fee.

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

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 29th December, 1978.*

University and State College (Amendment)

ARTICLE I

Inserting in Part VII of the University and State College Act, 1969, the following:

41. A transaction or agreement of a university or college (1) shall be deemed to be a financial transaction within the meaning of the Public Works Act, 1912, and the Minister shall be deemed to be the authority for the purposes of that Act.

42. Section 45, 46 and 47 of the Public Works Act, 1912, shall not apply to a university or college in relation to a transaction or agreement made by it.

43. (1) Where land is vested in the Minister as trustee for the University Authority under the Public Works Act, 1912, by virtue of a transaction or agreement entered into pursuant to section 41 of the Public Works Act, 1912, the land shall be deemed to be land in respect of which the Minister has a right of disposal and subject to such trusts and rights as may be imposed in relation to the land.

(2) A transaction, transfer or disposal of land made for the purposes of subsection (1) shall be deemed to be a financial transaction.

44. In relation to a university or college, the Public Works Act, 1912, shall apply as if the Minister were the authority for the purposes of that Act.

45. This Act shall be deemed to have come into force on the day on which it is enacted.

In the name and on behalf of His Majesty the Queen in Right of Ontario,

A. R. CUTLER

Attorney General

Government House,  
Queen's Park, Toronto, Ontario, Canada M7S 1Y8





