

**UNIVERSITY OF WOLLONGONG (AMENDMENT) BILL
1985**

EXPLANATORY NOTE

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

The object of this Bill is to amend the University of Wollongong Act 1972 so as to alter the constitution of the Council of the University. The Bill also makes minor amendments relating to the term of office and vacation of office of members of the Council.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with the exception of the provision relating to non-student members of the Council elected by members of Convocation, commence on the date it receives the Royal Assent.

Schedule 1 (2) (a)–(c) and (i) decrease the number of ex officio members of the Council from 4 to 3 members by omitting the requirement that one such member hold office by virtue of being Deputy Vice-Chancellor.

Schedule 1 (2) (d) increases the number of non-student members of the Council elected by the members of Convocation from 3 to 4 members.

Schedule 1 (2) (e) provides that the 4 elected non-student members of the Council chosen from the academic staff (other than persons giving instruction within the Institute) shall consist of 2 professorial members of the staff and 2 non-professorial members of the staff.

Schedule 1 (2) (f)–(h) decrease the number of elected non-student members of the Council by omitting the requirement that 3 members be elected by the other members of the Council.

Schedule 1 (2) (j)–(l) provide that the term of office of members of the Council appointed by the Minister shall be specified in the instrument of appointment of those members.

Schedule 1 (3) provides that an elected or appointed member of the Council vacates office if the member is absent from 3, instead of 4, consecutive meetings of the Council without leave of the Council.

Schedule 1 (4) repeals an obsolete provision relating to annual reports.

Schedule 2 contains provisions of a saving or transitional nature.



**UNIVERSITY OF WOLLONGONG (AMENDMENT) BILL
1985**

No. , 1985

A BILL FOR

An Act to amend the University of Wollongong Act 1972 with respect to
the constitution of the Council of The University of Wollongong.

University of Wollongong (Amendment) 1985

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 Short title

1. This Act may be cited as the "University of Wollongong (Amendment) Act 1985".

Commencement

2. (1) Except as provided by subsection (2), this Act shall commence
10 on the date of assent to this Act.

(2) The provisions of Schedule 1 (2) (d), and section 5 in its application to those provisions, shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Principal Act

15 3. The University of Wollongong Act 1972 is referred to in this Act as the Principal Act.

Schedules

4. This Act contains the following Schedules:

SCHEDULE 1—AMENDMENTS TO THE PRINCIPAL ACT

20 SCHEDULE 2—SAVINGS AND TRANSITIONAL PROVISIONS

Amendment of Act No. 72, 1972

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

Savings and transitional provisions

6. Schedule 2 has effect.

SCHEDULE 1

(Sec. 5)

AMENDMENTS TO THE PRINCIPAL ACT

- (1) Section 3, definition of "Deputy Vice-Chancellor"—
5 Omit the definition.
- (2) (a) Section 15 (4) (a)—
At the end of the paragraph, insert "and".
- (b) Section 15 (4) (b)—
Omit "and" where lastly occurring.
- 10 (c) Section 15 (4) (c)—
Omit the paragraph.
- (d) Section 15 (7) (a)—
Omit "three", insert instead "4".
- (e) Section 15 (7) (b)—
15 Omit "four persons, of whom at least two but not more than
three", insert instead "4 persons, of whom only 2".
- (f) Section 15 (7) (b1)—
At the end of the paragraph, insert "and".
- (g) Section 15 (7) (c)—
20 Omit "and" where lastly occurring.
- (h) Section 15 (7) (d)—
Omit the paragraph.
- (i) Section 15 (8)—
Omit ", Deputy Vice-Chancellor".

University of Wollongong (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

(j) Section 15 (9) (c)—

Omit “three years as may be prescribed by the by-laws”, insert instead “3 years as may be specified in the instrument of appointment of the member”.

5 (k) Section 15 (13)—

Omit “(c) and”.

(l) Section 15 (13) (b), (c)—

Omit “the appointed members or” wherever occurring.

(3) Section 16 (g)—

10 Omit “four”, insert instead “3”.

(4) Section 34—

Omit the section.

SCHEDULE 2

(Sec. 6)

15 SAVINGS AND TRANSITIONAL PROVISIONS

Interpretation

1. In this Schedule—

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

“Council” means the Council of The University of Wollongong.

20 **Saving of appointed members and certain elected non-student members of Council**

2. (1) An amendment made to the Principal Act by this Act does not affect the term of office of any member of the Council holding office immediately before the amendment takes effect.

(2) Subclause (1) does not apply to the repeal by this Act of—

25 (a) section 15 (4) (c); or

(b) section 15 (7) (d),

University of Wollongong (Amendment) 1985

SCHEDULE 2—*continued*

SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

of the Principal Act and a member holding office under either of those provisions immediately before the day on which the repeal takes effect shall vacate office on that day.

Election of non-student members of Council by Convocation

- 5 3. (1) For the purpose only of enabling the Council to be constituted in accordance with section 15 (7) (a) of the Principal Act, as amended by this Act, on or after (but not before) the appointed day, members of the Council may be elected under that provision and any other act, matter or thing may be done, before that day, as if the whole of this Act commenced on the date of assent to this Act.
- 10 (2) Where, by reason of the operation of subclause (1), a member of the Council is elected before the appointed day, the member shall accede to the office to which the member is elected on that day.

Absence of members from meetings

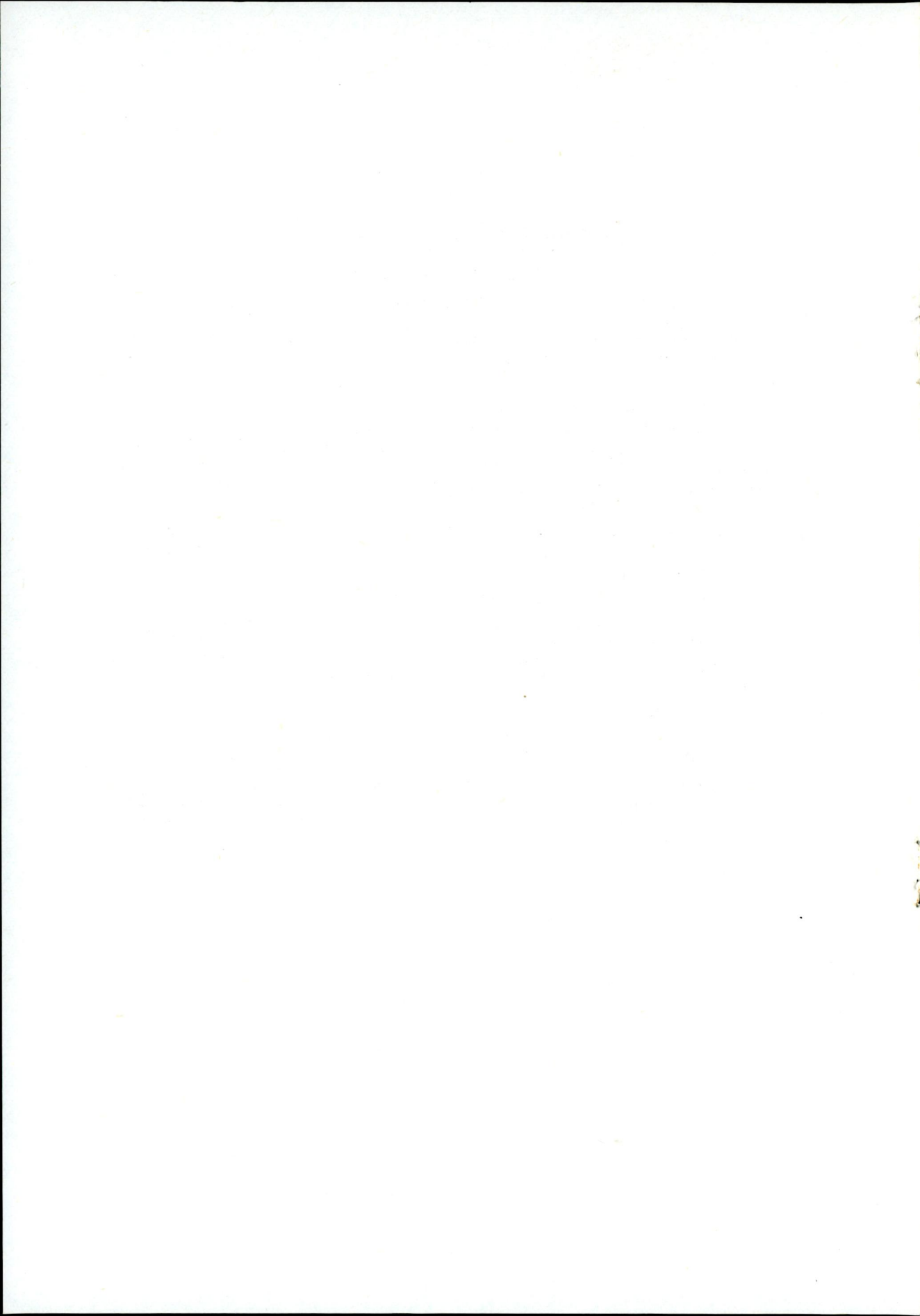
- 15 4. (1) An absence of a member from a meeting of the Council without the leave of the Council before the commencement of this Act shall be deemed to be an absence of the member from a meeting of the Council without the leave of the Council for the purposes of section 16 (g) of the Principal Act, as amended by this Act.

(2) Notwithstanding subclause (1)—

- 20 (a) the Council may, after the commencement of this Act, give leave for any absence which occurred before the commencement of this Act; and
- (b) the absence of a member before the commencement of this Act from 3 consecutive meetings of the Council without the leave of the Council shall be deemed to be an absence from 2 consecutive meetings of the Council without the leave of the Council.

BY AUTHORITY

D. WEST. GOVERNMENT PRINTER, NEW SOUTH WALES—1985



UNIVERSITY OF WOLLONGONG (AMENDMENT) ACT 1985 No.
116

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 116, 1985

An Act to amend the University of Wollongong Act 1972 with respect to
the constitution of the Council of The University of Wollongong.
[Assented to, 15th October, 1985.]

University of Wollongong (Amendment) 1985

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 Wollongong (Amendment) Act 1985".

Commencement

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) The provisions of Schedule 1 (2) (d), and section 5 in its application to those provisions, shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Principal Act

3. The University of Wollongong Act 1972 is referred to in this Act as the Principal Act.

Schedules

4. This Act contains the following Schedules:

SCHEDULE 1—AMENDMENTS TO THE PRINCIPAL ACT

SCHEDULE 2—SAVINGS AND TRANSITIONAL PROVISIONS

Amendment of Act No. 72, 1972

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

Savings and transitional provisions

6. Schedule 2 has effect.

SCHEDULE 1

(Sec. 5)

AMENDMENTS TO THE PRINCIPAL ACT

- (1) Section 3, definition of "Deputy Vice-Chancellor"—
Omit the definition.
- (2) (a) Section 15 (4) (a)—
At the end of the paragraph, insert "and".
- (b) Section 15 (4) (b)—
Omit "and" where lastly occurring.
- (c) Section 15 (4) (c)—
Omit the paragraph.
- (d) Section 15 (7) (a)—
Omit "three", insert instead "4".
- (e) Section 15 (7) (b)—
Omit "four persons, of whom at least two but not more than three", insert instead "4 persons, of whom only 2".
- (f) Section 15 (7) (b1)—
At the end of the paragraph, insert "and".
- (g) Section 15 (7) (c)—
Omit "and" where lastly occurring.
- (h) Section 15 (7) (d)—
Omit the paragraph.
- (i) Section 15 (8)—
Omit ", Deputy Vice-Chancellor".

University of Wollongong (Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE PRINCIPAL ACT—*continued*

(j) Section 15 (9) (c)—

Omit “three years as may be prescribed by the by-laws”, insert instead “3 years as may be specified in the instrument of appointment of the member”.

(k) Section 15 (13)—

Omit “(c) and”.

(l) Section 15 (13) (b), (c)—

Omit “the appointed members or” wherever occurring.

(3) Section 16 (g)—

Omit “four”, insert instead “3”.

(4) Section 34—

Omit the section.

SCHEDULE 2

(Sec. 6)

SAVINGS AND TRANSITIONAL PROVISIONS

Interpretation

1. In this Schedule—

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

“Council” means the Council of The University of Wollongong.

Saving of appointed members and certain elected non-student members of Council

2. (1) An amendment made to the Principal Act by this Act does not affect the term of office of any member of the Council holding office immediately before the amendment takes effect.

(2) Subclause (1) does not apply to the repeal by this Act of—

(a) section 15 (4) (c); or

(b) section 15 (7) (d),

University of Wollongong (Amendment) 1985

SCHEDULE 2—*continued*

SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

of the Principal Act and a member holding office under either of those provisions immediately before the day on which the repeal takes effect shall vacate office on that day.

Election of non-student members of Council by Convocation

3. (1) For the purpose only of enabling the Council to be constituted in accordance with section 15 (7) (a) of the Principal Act, as amended by this Act, on or after (but not before) the appointed day, members of the Council may be elected under that provision and any other act, matter or thing may be done, before that day, as if the whole of this Act commenced on the date of assent to this Act.

(2) Where, by reason of the operation of subclause (1), a member of the Council is elected before the appointed day, the member shall accede to the office to which the member is elected on that day.

Absence of members from meetings

4. (1) An absence of a member from a meeting of the Council without the leave of the Council before the commencement of this Act shall be deemed to be an absence of the member from a meeting of the Council without the leave of the Council for the purposes of section 16 (g) of the Principal Act, as amended by this Act.

(2) Notwithstanding subclause (1)—

- (a) the Council may, after the commencement of this Act, give leave for any absence which occurred before the commencement of this Act; and
- (b) the absence of a member before the commencement of this Act from 3 consecutive meetings of the Council without the leave of the Council shall be deemed to be an absence from 2 consecutive meetings of the Council without the leave of the Council.

BY AUTHORITY

D. WEST. GOVERNMENT PRINTER. NEW SOUTH WALES—1985





