

UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) ACT.

Act No. 30, 1937.

George VI,
No. 30, 1937. An Act to make provision for the establishment and maintenance by the University of Sydney of colleges outside the Sydney Metropolitan Area; for these and other purposes to amend the University and University Colleges Act, 1900-1936, and certain other Acts in certain respects, and to repeal the University (Amendment) Act, 1916; and for purposes connected therewith. [Assented to, 23rd December, 1937.]

BE it enacted by the King'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
and
citation.**

1. (1) This Act may be cited as the "University and University Colleges (Amendment) Act, 1937."

(2)

(2) The University and University Colleges Act, 1900-1936, as amended by this Act, may be cited as the University and University Colleges Act, 1900-1937.

2. The University and University Colleges Act, 1900-^{Amendment of Act No. 22, 1900.} is amended—

(a) (i) by omitting from subsection one of section ^{Sec. 22.} twenty-two the words “the degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, and Doctor of Laws” and by inserting in lieu thereof the words “any degree (other than the degrees referred to in section twenty-three of this Act) or diploma”; ^(Certificates of colleges or other educational establishments.)

(ii) by inserting in the same subsection after the words “any such degree” the words “or diploma”;

(iii) by inserting in subsection two of the same section after the word “degree” the words “or diploma”;

(b) by inserting next after section forty-one the ^{New Part VII.} following new Part:—

PART VII.

COLLEGES OUTSIDE THE SYDNEY METROPOLITAN AREA.

42. (1) The Senate may, with the approval of the Governor, establish and maintain one or more colleges outside the Sydney Metropolitan Area. ^{Power to establish and maintain colleges.}

Each such college shall be established at such place within New South Wales, but outside the Sydney Metropolitan Area, as the Senate may think fit.

(2) The University shall have power to acquire by gift, devise or bequest any property upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of any college established under this Part and to agree to the conditions of any such gift, devise or bequest.

(3)

**University and University Colleges (Amendment)
Act.**

(3) Where, before the establishment under this Part of a college, any property, real or personal, has been vested in or acquired by any person upon trust for the purposes for which such college is established such person may, when the college is established, convey or transfer such property to the University upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of the college.

The acceptance by the University of any such property shall be a complete discharge to the person conveying or transferring the same.

Advisory
council of
each college.

43. (1) There shall be constituted for and in respect of each college established under this Part an advisory council.

(2) Each advisory council shall consist of not less than ten nor more than twenty members.

(3) The members of each advisory council shall be appointed by the Governor on the nomination of the Senate.

(4) Each advisory council shall have and may exercise and perform such powers, authorities, duties and functions as may be prescribed by by-laws made by the Senate.

Senate to
appoint
officers, etc.,
and manage
property.

44. (1) The powers conferred on the Senate by subsection one of section fourteen of this Act shall extend to and in respect of all professors, tutors, officers and servants of the University engaged in or in connection with any college established under this Part.

(2) The Senate shall have the entire management of and superintendence over the affairs and concerns of each college established under this Part and of any property of the University held upon trust for the purposes of a college established under this Part, and in all cases unprovided for by this Act the Senate may, in relation

relation to any such property, act in such manner as appears to them to be best calculated to promote the purposes of the college.

(3) Without prejudice to the generality of subsection two of this section the Senate may make provision for classes and courses of instruction in such subjects as it may think fit at any college established under this Part and may also make provision for the conduct of examinations at any such college.

(4) The Senate may delegate to the advisory council constituted for or in respect of any college established under this Part any of the powers, authorities, duties and functions conferred or imposed upon the Senate by this section.

45. (1) Any expenditure incurred by the University for or in respect of the establishment or maintenance of any college established under this Part which is so incurred with the approval of the Governor given on the recommendation of the Colonial Treasurer is in this section referred to as approved expenditure.

Colonial
Treasurer
to meet
costs
incurred in
establish-
ment and
maintenance
of each
college.

(2) The Colonial Treasurer shall, in each year, pay to the University the amount by which the approved expenditure in connection with any college established under this Part exceeds the income from all sources of the University derived in connection with that college or so much of such income as is capable of being applied for the purpose of meeting approved expenditure.

(3) Any moneys payable by the Colonial Treasurer under this section shall be paid out of moneys provided by Parliament.

46. (1) The Senate may make by-laws and ^{By-laws and} regulations relating to— ^{regulations.}

(a) the discipline of colleges established under this Part;

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(b)

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- (b) the classes and courses of instruction provided at colleges established under this Part and the conduct of examinations at such colleges;
- (c) advisory councils constituted for or in relation to colleges established under this Part;
- (d) the delegation of powers, authorities, duties and functions of the Senate to advisory councils;
- (e) any matter which is required or permitted by this Part of this Act to be prescribed by by-laws or regulations or which is necessary or convenient to be so prescribed for carrying this Part of this Act into effect.

(2) Any by-law or regulation may be made to apply to all colleges established under this Part or to any specified college.

(3) The provisions of subsections two to four, both inclusive, of section fifteen of this Act shall, mutatis mutandis, apply to and in respect of any by-law or regulation made under this section.

See. 1.
(Division
into Parts.)

- (e) by inserting at the end of section one the following words:—

**“PART VII.—COLLEGES OUTSIDE THE SYDNEY
METROPOLITAN AREA—ss. 42-46.”**

Commencement of
see. 3.

3. (1) This section shall commence on the first day of January, one thousand nine hundred and thirty-eight.

Further amendment
of Act
No. 22, 1900.
Sect. 24.
(Permanent endowment.)

(2) The University and University Colleges Act, 1900-1936, is further amended by omitting from subsection one of section twenty-four the words “the sum of thirty thousand pounds in every year as a fund for building, and for defraying the several stipends appointed to be paid to the several professors or teachers of literature, science, and art, and to such necessary officers and servants as are from time to time appointed by the Senate, and

and for defraying the expense of such prizes, scholarships, and exhibitions as are awarded for the encouragement of students in the University, and for providing gradually a library for the same, and for discharging all incidental and necessary charges connected with the current expenditure thereof" and by inserting in lieu thereof the words "in every year the sum of one hundred thousand pounds."

Dec. 20, 1937.

(3) The University and University Colleges (Amendment) Act, 1902, is amended by omitting section two.

Amendment of
Act No. 92,
1902.
Sec. 2.
(Conse-
quential.)

(4) The University (Amendment) Act, 1912, is amended by omitting subsection one of section six.

Amendment of
Act No. 52,
1912.
Sec. 6 (1).
(Conse-
quential.)

(5) The University (Amendment) Act, 1916, is hereby repealed.

Repeal of
Act No. 78,
1916.
(Conse-
quential.)