

## Act No. 22, 1900.

An Act to consolidate the Acts relating to the University of Sydney and Colleges within the University of Sydney. [22nd September, 1900.]

UNIVERSITY AND  
UNIVERSITY  
COLLEGES.

WHEREAS it is expedient for the better advancement of religion and morality and the promotion of useful knowledge to hold forth to all classes and denominations of Her Majesty's subjects resident in New South Wales, without any distinction whatsoever, an encouragement for pursuing a regular and liberal course of education; and to ascertain by means of examination the persons who acquire proficiency in literature, science, and art, and to reward them by academical degrees as evidence of their respective attainments and by marks of honour proportioned thereto; and to encourage and assist the establishment of colleges within the University of Sydney, in which colleges systematic religious instruction and domestic supervision, with efficient assistance in preparing for the University lectures and examinations, shall be provided for students of the University: Be it therefore 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:—

## PART I.

*Preliminary.*

1. This Act may be cited as the "University and University Colleges Act, 1900," and is divided into Parts and Divisions, as follows:—

PART I.—*Preliminary.*—ss. 1-5.

PART II.—*Incorporation and constitution of the University and provisions relating to the Senate.*—ss. 6-18.

PART III.—*Examinations and degrees.*—ss. 19-23.

PART IV.—*Endowment and finance.*—ss. 24-29.

PART V.—*Students, licensed masters, and privileged officers.*—ss. 30-32.

PART VI.—*Colleges within the University*—

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DIVISION

*University and University Colleges.*DIVISION 2.—*Endowment and subscribed fund—*

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- (ii) *Endowment for building.*—s. 36.
- (iii) *Endowment for principal.*—ss. 37-39.
- (iv) *Interest on subscribed fund.*—s. 40.

DIVISION 3.—*Government of students.*—s. 41.

Repeal.  
Schedule.

Officers under Acts  
hereby repealed.

Regulations or by-  
laws under Acts  
hereby repealed.

Interpretation.

Act not to interfere  
with rights of Her  
Majesty.  
14 Vic. No. 31, s. 24.

Women to be  
admitted to  
University  
privileges.  
47 Vic. No. 17, s. 3.

2. (1) The Acts mentioned in the Schedule to this Act are, to the extent therein expressed, hereby repealed.

(2) All persons elected or appointed under the Acts hereby repealed, and holding office at the time of the passing of this Act, shall continue in office as if this Act had been in force at the time they were appointed, and they had been appointed hereunder.

(3) All regulations or by-laws made under the authority of any Act hereby repealed, and being in force at the time of the passing of this Act, shall be deemed to have been made under the authority of this Act, and references in such regulations to the provisions of any Act hereby repealed shall be deemed to be references to the corresponding provisions of this Act.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“ Bachelor ” means any person upon whom the degree of Bachelor has been conferred by the University.

“ Doctor ” means any person upon whom the degree of Doctor has been conferred by the University.

“ Fellow ” means a member of the Senate.

“ Master ” means any person upon whom the degree of Master has been conferred by the University.

“ University ” means the University of Sydney.

4. Nothing in this Act shall be deemed to affect or interfere with any right, title, or interest of Her Majesty, Her Heirs, and Successors, or in any way to limit the Royal Prerogative.

5. The benefits and advantages of the University, and the provisions of this and any other Act relating thereto, shall be deemed to extend in all respects to women equally with men.

## PART II.

*Incorporation and constitution of the University and provisions relating to the Senate.*

The University of  
Sydney.  
14 Vic. No. 31, s. 1.

6. The University of Sydney is the body politic and corporate incorporated by that name under the Act fourteenth Victoria number thirty-one, and shall, by that name, have a perpetual succession and a common

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common seal and power to sue and be sued and to take, purchase, and hold all real and personal property whatsoever, whether the same is situate in New South Wales or elsewhere, and to grant, demise, alien, or otherwise dispose of the same, and also to do all other matters and things incidental or appertaining to a body politic.

Provided that the University shall not, unless with the approval of the Governor, alienate, mortgage, charge, or demise any of its lands, except by way of lease for any term not exceeding thirty-one years from the making thereof, by which lease there shall be reserved and made payable during the whole of the term the best yearly rent that can reasonably be obtained without any fine or foregift.

Proviso.  
14 Vic. No. 31, s. 2.

7. The said body politic and corporate shall consist of a Senate which shall be constituted by—

University to consist of a Senate.

- (a) sixteen elective Fellows, who shall be elected as hereinafter provided, and of whom at least twelve shall be laymen; and
- (b) not fewer than three nor more than six *ex officio* Fellows, who shall be Professors of the said University in such branches of learning as the Senate shall from time to time by any by-law select.

*Ibid.* s. 4.  
24 Vic. No. 13, s. 2.

8. Every vacancy occurring by death, resignation, or otherwise among the elective Fellows shall be filled up as it occurs by the election, at a meeting duly convened for the purpose, of such other fit and proper person as may be elected to fill such vacancy by the majority of the following persons present at such meetings, that is to say,—

Elections of Fellows.  
*Ibid.* s. 4.  
44 Vic. No. 22, s. 3.

- (a) Fellows;
- (b) Officials declared by this Act to have the same rights and privileges within the University as Masters and Doctors;
- (c) Graduates keeping their names in accordance with any by-law in that behalf on the register of the University who have taken within the University the degree of Master or of Doctor;
- (d) Bachelors and all other persons who obtain any certificate which the Senate by by-law declares to be equivalent to the degree of Bachelor, if such Bachelors or other persons are of three years standing in the University, after obtaining such degree or certificate, and are of the age of twenty-one years.

9. Unless by death or resignation no vacancy among the elective Fellows shall occur for any cause not previously specified in some by-law of the University.

Vacancies.  
24 Vic. No. 13, s. 4.

10. (1) The Senate shall elect out of their own body, by a majority of votes, a Chancellor of the University, who shall hold office for such period as the Senate shall from time to time appoint.

Chancellor.  
14 Vic. No. 31, s. 4.  
24 Vic. No. 13, s. 5.

(2) Whenever a vacancy occurs in the said office by death, resignation, or otherwise, the Senate shall, in like manner, elect out of their own body, a person to fill that office.

Vacancies in office of Chancellor.

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Vice-Chancellor.  
14 Vic. No. 31, s. 6.  
24 Vic. No. 13, s. 5.

**11.** (1) The Senate shall annually, on a day of which due notice has been given, elect out of their own body a Vice-Chancellor of the University, who shall hold office for one year.

Vacancies in office  
of Vice-Chancellor.

(2) Whenever a vacancy occurs in the said office by death, resignation, or otherwise before the expiration of the year of office, the Senate shall, as soon as conveniently may be, hold a meeting, of which due notice has been given, and at such meeting elect out of their own body some other person to be Vice-Chancellor for the remainder of the year.

Vice-Chancellor  
eligible for re-  
election.

(3) Any Vice-Chancellor shall be capable of re-election as often as is deemed meet.

Chairman.

14 Vic. No. 31, s. 10.  
24 Vic. No. 13, s. 5.

**12.** (1) At every meeting of the Senate the Chancellor or, in his absence, the Vice-Chancellor shall preside as chairman, but if the Chancellor and Vice-Chancellor are both absent, the Fellows present shall elect a chairman.

Questions how  
decided.

14 Vic. No. 31, s. 9.

**13.** (1) All questions which come before the Senate shall be decided at any meeting duly convened, at which a quorum is present, by a majority of the votes of the Fellows present.

Chairman.

(2) The chairman at any such meeting shall have a vote, and in case of an equality of votes a second or casting-vote.

Quorum.

*Ibid.*  
16 Vic. No. 28, s. 1.

(3) At any such meeting—

(a) five Fellows of whom the Chancellor or Vice-Chancellor shall be one; or

(b) in the absence of both the Chancellor and Vice-Chancellor, eight Fellows

shall form a quorum.

Senate may appoint  
and dismiss officers.

14 Vic. No. 31, s. 8.

**14.** (1) The Senate shall have full power to appoint and dismiss all professors, tutors, officers, and servants of the University.

And to have entire  
management.

(2) The Senate shall have the entire management of and superintendence over the affairs, concerns, and property of the University, and in all cases unprovided for by this Act the Senate may act in such manner as appears to them to be best calculated to promote the purposes of the University.

By-laws.

*Ibid.* ss. 8, 15, 21.  
41 Vic. No. 22, s. 2.

**15.** (1) The Senate may make by-laws and regulations relating to—

(a) the discipline of the University; and

(b) examinations for and the granting of scholarships, exhibitions, degrees, certificates, or honours; and

(c) the conferring of *ad eundem* degrees;

(d) the mode and time of convening meetings of the Senate; and

(e) all other matters whatsoever regarding the University:

Provided that no such by-law or regulation shall be repugnant to any existing law or to the general objects and provisions of this Act.

Approval of  
Governor.

(2) All such by-laws and regulations shall be reduced to writing and submitted for the consideration and approval of the Governor,

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Governor, and when approved shall be countersigned by him, and when so countersigned and sealed with the seal of the University shall be of full force and effect.

(3) The Colonial Secretary shall lay every such by-law and regulation before the Legislative Council and Legislative Assembly during the session of Parliament in which it becomes in force or within six weeks after the beginning of the next ensuing session. To be laid before the Legislative Council and Legislative Assembly.

(4) Any such by-law or regulation may be proved in any Court by the production of a verified copy under the seal of the University. Evidence.

**16.** (1) The University shall once at least in every year, and also whenever the pleasure of the Governor may be signified in that behalf, report their proceedings to the Governor. University to report their proceedings to the Governor. 14 Vic. No. 31, s. 22.

(2) A copy of such report shall be laid before the Legislative Council and Legislative Assembly within six weeks after it is made if Parliament is then in session, or, if not, then within six weeks after the beginning of the next ensuing session. Copy of report to be laid before Legislative Council and Legislative Assembly.

**17.** The Governor of New South Wales shall be the visitor of the University, with authority to do all things that pertain to visitors as often as he deems meet. Visitor. Ibid. s. 16.

**18.** No religious test shall be administered to any person in order to entitle him to be admitted as a student of the University, or to hold any office therein, or to partake of any advantage or privilege thereof. Religious tests. Ibid. s. 20.

Provided that this enactment shall not be deemed to prevent the making of regulations for securing the due attendance of the students for divine worship at such church or chapel as their parents or guardians may approve.

PART III.

*Examinations and degrees.*

**19.** (1) The Senate may give such instruction as it thinks fit, and may, after examination, confer the several degrees of Bachelor, Master, and Doctor, and such other degrees and such certificates in the nature of degrees as it thinks fit in all branches of knowledge, except theology and divinity. Degrees. Ibid. s. 13. 47 Vic. No. 17, .

Provided that no student in the University shall be compelled to attend lectures upon or pass examinations in any of the following subjects, namely:—Ethics, metaphysics, and modern history.

(2) All persons who obtain any certificate or qualification which the Senate by by-law declares to be of equivalent rank to the degree of Bachelor shall have the same rights and privileges within the University as Bachelors. Status of holders of certificates. Ibid. s. 2.

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Examiners to declare results of examinations.  
14 Vic. No. 31, s. 14.

**20.** (1) At the conclusion of every examination of candidates the examiners shall declare the name of every candidate whom they deem entitled to any degree, and also—

(a) the departments of knowledge in which his proficiency has been evinced; and

(b) his proficiency in relation to that of other candidates.

Certificates.

(2) The Chancellor shall give every such candidate a certificate under the seal of the University and signed by such Chancellor, in which the particulars so declared shall be stated.

Ad eundem degrees.  
44 Vic. No. 22, s. 1.

**21.** (1) When any person has obtained in any University, recognised by the by-laws of the University in force for the time being, any degree corresponding or equivalent to any degree which the Senate is now or may hereafter be empowered to confer after examination, the Senate may confer such latter degree upon such person without examination.

Rights of holders.

(2) The persons upon whom degrees are conferred, under the provisions of the preceding subsection, shall be entitled to the same rights and privileges as appertain to those who have taken the same degrees in the ordinary course in the University.

Senate may authorise educational establishments to issue certificates.  
14 Vic. No. 31, s. 11.

**22.** (1) The Senate may authorise any college or educational establishment, whether incorporated or not, instituted for the promotion of literature, science, or art, to issue to candidates for the degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, and Doctor of Laws certificates to the effect that the candidate for any such degree has completed such course of instruction therefor as the Senate by regulation prescribes.

Upon which degrees may be granted.

(2) Any person who presents to the Senate any such certificate may be admitted as a candidate for the degree to which it has reference.

Report on medical establishments by Senate.  
14 Vic. No. 31, s. 12.

**23.** (1) For the purpose of granting the degrees of Bachelor of Medicine and Doctor of Medicine, and for the improvement of medical education in all its branches, as well in medicine as in surgery, midwifery, and pharmacy, the Senate may report to the Governor the medical institutions and schools, whether incorporated or not, in the city of Sydney, from which, either singly or jointly with other medical institutions and schools in New South Wales or in foreign parts, it appears to the Senate fit and expedient to admit candidates for medical degrees.

Candidates from such establishments may be admitted to degrees.

(2) On approval of such report by the Governor, the Senate shall admit as a candidate for the degree of Bachelor of Medicine or Doctor of Medicine any person who presents to the Senate a certificate from any such institution or school to the effect that such person has completed the course of instruction therefor which the Senate by regulation prescribes.

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PART IV.

*Endowment and finance.*

**24.** (1) By way of permanent endowment for the University the Governor is hereby empowered by warrant, under his hand, to direct to be issued and paid out of the Consolidated Revenue Fund the sum of five 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 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.

Permanent endowment.  
14 Vic. No. 31, s. 3

Provided that the Senate may apply any portion of the said endowment fund to the establishment and maintenance of a college in connection with and under the supervision of the University.

Proviso.  
*Ibid.* s. 11.

(2) The said sum shall be paid in four equal quarterly instalments, on the first day of January, the first day of April, the first day of July, and the first day of October, in every year.

To be paid in quarterly instalments.

**25.** The Senate may charge such reasonable fees for the respective degrees conferred as they with the approbation of the Governor direct. Such fees shall be carried to one general fee fund for the payment of the expenses of the University.

Fees for degrees.  
*Ibid.* s. 13.

**26.** The Senate may by any by-laws or regulations provide for payment by the students of the University of reasonable fees to the professors or teachers for attendance on their lectures. Such professors or teachers may, in addition to their stipends, demand and receive such fees from the students.

Fees to professors and teachers.  
*Ibid.* s. 17.

**27.** The Senate may in like manner provide for payment by such students of reasonable fees for entrance, degrees, certificates, and other University charges. The Treasurer of the University shall, on behalf of the University, collect such fees from the students.

Fees for entrance, &c.  
*Ibid.* s. 17.

**28.** The securities representing the investments of the sum of money bequeathed by the late Solomon Levey, Esquire, to the Sydney College, with the interest thereon, shall be held by the Senate upon trust to continue to hold the same, or to alter them from time to time in favour of other investments at interest upon such security and in such manner in all respects as the Senate in their absolute discretion think fit, and the clear or net interest or income arising therefrom shall be applied in or towards the endowment of a scholarship in the University under such regulations as the Senate, in their absolute and uncontrolled

Powers of the Senate in respect of Levey's legacy.  
17 Vic. No. 18, s. 5.

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uncontrolled discretion in respect of making and altering the same, deem to be as nearly as circumstances permit in accordance with the intention of the said Solomon Levey in making the aforesaid bequest.

Accounts of annual income and expenditure to be laid before the Legislative Council and Assembly.  
14 Vic. No. 31, s. 13.

**29.** The Senate shall once in every year transmit a full account of the whole income and expenditure of the University to the Colonial Secretary, who shall submit the same to the Legislative Council and (Legislative Assembly to be subjected to such examination and audit as such Council and Assembly may direct.

## PART V.

*Students, licensed masters, and privileged officials.*

Residence of students.  
*Ibid.* s. 18.

**30.** No student shall be allowed to attend the lectures or classes of the University unless he dwells—

- (a) with his parents or guardian; or
- (b) with some relative or friend selected by his parents or guardian and approved by the Chancellor or Vice-Chancellor; or
- (c) in some collegiate or other educational establishment; or
- (d) with a tutor or master of a boarding-house licensed by the Chancellor or Vice-Chancellor as hereinafter mentioned.

Licensing persons with whom students may reside.  
*Ibid.* s. 19.

**31.** (1) Every person desirous of being licensed as a tutor or master of a boarding-house in connection with the University shall apply for his license to the Chancellor or Vice-Chancellor in writing under his hand specifying the house or houses belonging to or occupied by the applicant and intended by him for the reception of students, and the number of students who may be conveniently lodged and boarded therein.

Powers of Chancellor or Vice-Chancellor.

(2) Such Chancellor or Vice-Chancellor may require of any such applicant testimonials of character and fitness for the office, and thereupon may grant or withhold the license for the academical year then current or then next ensuing.

License to be registered.

(3) Every such license shall be registered in the archives of the University and shall lapse at the end of the academical year in which it was registered, but may be renewed by the Chancellor or Vice-Chancellor and re-registered.

Revocation of license.

(4) Every such license shall be revocable at any time, and the Chancellor or Vice-Chancellor may forthwith revoke the same in case of any misbehaviour of such tutor or master of a boarding-house or of the students under his care which, in the opinion of the Chancellor or Vice-Chancellor and a majority of the professors of the University ought to be punishable by immediate revocation of such license.



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**32.** Each and every of the following officials, that is to say—

(a) every professor and other public teacher and examiner in the schools of the University; and

(b) every principal of any incorporated college within the University; and

(c) every superior officer of the University declared to be such by any by-law

shall, during his tenure of office, but no longer, have the same rights and privileges within the University as are enjoyed by Masters and Doctors.

Members of the University.  
24 Vic. No. 13, s. 3.

PART VI.

*Colleges within the University.*

DIVISION 1.—*Interpretation.*

**33.** In this Part of this Act, unless the context or subject-matter otherwise indicates or requires,—

“ College ” means a college within the University.

“ Principal ” includes the master, warden, rector, or any other head of a college.

Interpretation.  
18 Vic. No. 37, s. 10.

DIVISION 2.—*Endowment and subscribed fund.*

(i) *Conditions of endowment.*

**34.** Whenever—

(a) any college has been established and incorporated by any Act; and

(b) the founders of or subscribers to such college have complied with the conditions mentioned in the next section,

such college shall be entitled to the endowments hereinafter severally mentioned, which said endowments shall be paid by the Treasurer under warrants signed by the Governor.

Endowment of colleges.  
*Ibid.* s. 1.

**35.** No such college although incorporated shall be entitled to such endowments unless and until the sum of ten thousand pounds at the least has been subscribed by its founders, and of that sum not less than four thousand pounds has been paid and invested in such manner as the Governor approves, and the residue has been to his satisfaction secured to be paid within three years next following; nor unless

Conditions of endowment.  
*Ibid.* s. 2.

(a) the whole of the said ten thousand pounds is to be devoted exclusively to the erection of college buildings on land granted for that purpose by Her Majesty to the University in trust for such college, if any is so granted, and if not then upon land otherwise conveyed to and accepted by the University in such trust; and

(b)

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(b) it has been agreed by the founders that the entire amount shall be so expended, if the University so requires, within five years next after the first payment on account of either of such endowments.

*(ii) Endowment for building.*

Endowment for building.  
18 Vic. No. 37, s. 3.

**36.** There shall be paid out of the Consolidated Revenue, in aid of the building fund of every college so incorporated, a sum or sums not exceeding in the whole twenty thousand pounds, nor more than has been from time to time actually expended by the college out of its subscribed funds for the purpose of building.

*(iii) Endowment for principal.*

Endowment for principal's salary.  
*Ibid.* s. 4.

**37.** There shall be paid out of the said Consolidated Revenue annually, to such incorporated college in perpetuity, a sum of five hundred pounds for the use of and as a salary to the principal of such college or in aid of such salary.

Conditions as to such endowment.  
*Ibid.* s. 5.

**38.** Every such principal shall be entitled to the annual salary hereby provided for on the production of his own certificate at the time of each payment that he has during the period to which it relates performed the duties of his office.

Provided that he shall transmit to the Colonial Secretary once in each year a certificate to the like effect under the hands of such persons as are for that purpose appointed by the constitution or rules of the particular college.

Provision where selected principal is out of New South Wales.  
*Ibid.* s. 6.

**39.** Where any person selected to be the principal of any such college is out of New South Wales at the time of his appointment no such certificate shall be required until after he has actually entered on his duties, but he shall be entitled to the salary, and the college to which he has been appointed may receive the same accordingly for his use, from the day of his embarkation for New South Wales.

Provided that every principal shall actually enter on his duties within six months after such embarkation unless the Governor, upon being satisfied that unavoidable obstacles have intervened, thinks fit to extend that term to nine months.

*(iv) Interest on subscribed fund.*

Accruing proceeds of subscribed fund until expended in building.  
*Ibid.* s. 7.

**40.** Until the subscribed fund is required for the erection of college buildings as aforesaid, the interest or other proceeds accruing from the investment thereof, or of the portion remaining unexpended from time to time, may be applied to the general purposes of the college as the governing body of such college may determine.

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DIVISION 3.—*Government of students.*

41. All students in any such college shall immediately upon entering therein matriculate in the University, and shall thereafter submit and be subject to the discipline thereof, and shall be required duly and regularly to attend the lectures of the University on those subjects an examination and proficiency in which are required for honors and degrees, with the exception, if thought fit by any such college, of lectures on ethics, metaphysics, and modern history.

Students of Colleges to be members of University and attend lectures.  
18 Vic. No. 37, s. 8.

SCHEDULE.

Reference to Act.	Title or Short Title.	Extent of repeal.
14 Vic. No. 31	An Act to incorporate and endow the University of Sydney.	The whole.
16 Vic. No. 28	An Act to amend an Act intituled an Act to incorporate and endow the University of Sydney.	The whole.
17 Vic. No. 18	An Act to enable the University of Sydney to purchase the Sydney College with the land attached thereto.	The whole.
18 Vic. No. 37	An Act to provide for the establishment and endowment of colleges within the University of Sydney.	The whole.
22 Vic. No. 8	An Act to amend an Act intituled an Act to provide for the establishment and endowment of colleges within the University of Sydney.	The whole.
24 Vic. No. 13	An Act to amend the Sydney University Incorporation Act.	The whole.
44 Vic. No. 22	"Ad eundem Degrees Act of 1881" ... ..	The whole.
47 Vic. No. 17	"University Extension Act of 1884" ... ..	The whole.