



New South Wales

Women's College Amendment Act 1997 No 13

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Women's College Amendment Act 1997 No 13

Act No 13, 1997

An Act to amend the *Women's College Act 1902* in relation to the constitution of the Council of the Women's College and in relation to the Principal and Vice-Principal of that College; and for other purposes.
[Assented to 21 May 1997]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Women's College Amendment Act 1997*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Women's College Act 1902 No 71

The *Women's College Act 1902* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Insert in alphabetical order:

Treasurer means the person appointed as Treasurer of the Council under section 5A.

[2] Sections 5 and 5A

Omit section 5. Insert instead:

5 Constitution of Council

- (1) The Council is to consist of
 - (a) ten elective councillors, and
 - (b) the following four ex-officio councillors:
 - (i) the Principal of the College,
 - (ii) the Senior Student of the College,
 - (iii) the President of the union (known as the Women's College Union) of members and friends of the College,
 - (iv) the person nominated by the Senate of the University under section 8 (1), and
 - (c) the Treasurer (if not otherwise a councillor).
- (2) If the Treasurer is not otherwise a councillor, he or she ceases to be a councillor on ceasing to be Treasurer.

5A Treasurer of Council

- (1) The Council may appoint a councillor as Treasurer of the Council.
- (2) If the Council is not able to appoint a councillor, the Council is to appoint any other person whom the Council considers suitable as Treasurer of the Council.
- (3) A person is not to be appointed under this section unless the person consents to the appointment.

- (4) The Treasurer may be appointed for such term (not exceeding one year) as the Council determines, and may be reappointed from time to time.
- (5) The Treasurer may, by notice in writing to the Council, resign from the position of Treasurer at any time.
- (6) The Treasurer may, subject to the by-laws, be removed from the office of Treasurer by the Council at any time.
- (7) A casual vacancy in the office of the Treasurer is to be filled in accordance with this section.

[3] Section 8 Ex-officio councillors

Omit “two members of such Senate to be councillors” from section 8 (1).

Insert instead “one member of such Senate to be a councillor”.

[4] Section 8 (3)

Omit “A person”. Insert instead “The person”.

[5] Section 8A Appointed councillor

Omit the section.

[6] Section 9 Quorum

Omit “Five”. Insert instead “Seven”.

[7] Section 11A

Insert after section 11:

IIA Protection from liability

Anything done or omitted to be done by the Council, a councillor, or any person acting under the direction of the Council does not, if it was done or omitted to be done in good faith for the purpose of executing this Act, subject a councillor or person so acting personally to any action, liability, claim or demand.

[8] Section 13 Appointment and powers of Principal

Omit the section.

[9] Section 13A Vice-Principal

Omit the section.

[10] Section 13B Appeals to Visitor

Omit the section.

[11] Section 16 By-laws

Insert after section 16 (1):

(1A) Without limiting subsection (1), the Council may make by-laws with respect to any one or more of the following:

- (a) the Principal of the College,
- (b) the Vice-Principal of the College,
- (c) the Senior Student of the College,
- (d) the union of members and friends of the College.

[12] Section 17 and Schedule 1

Insert after section 16:

17 Savings and transitional provisions

Schedule 1 has effect.

Schedule 1 Savings and transitional provisions

(Section 17)

Part 1 Preliminary

1 Regulations

- (1) The Governor may make regulations, not inconsistent with this Act, containing provisions of a savings or transitional nature consequent on the enactment of the following Acts:

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- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later day.
- (3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as
 - (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

Part 2 Provisions consequent on enactment of Women's College Amendment Act 1997

2 Definition

In this Part:

amending Act means the *Women's College Amendment Act 1997*.

3 Continuity of Council

The Council is the same entity as, and a continuation of, the Council constituted under section 5 before the commencement of Schedule 1 [2] to the amending Act.

4 Councillors taken to be appointed under amending Act

- (1) A person (other than the Vice-Principal of the College) who was a councillor immediately before the commencement of Schedule 1 [2] to the amending Act continues as such and is taken to be a councillor referred to in section 5 as inserted by Schedule 1 [2].
- (2) If the person is:
 - (a) an elective councillor elected under section 6, or

- (b) an ex-officio councillor nominated under section 8 by the Senate of the University before the amendment made to that section by Schedule 1 [3] to the amending Act, or
- (c) the councillor appointed under section 8A by the Principal of the College before the repeal of that section by Schedule 1 [5] to the amending Act,

the person is to hold office, subject to the relevant section, for the balance of the person's term in accordance with that section.

5 Construction of reference to number of elective councillors

- (1) Subject to this clause, section 5, as inserted by Schedule 1 [2] to the amending Act, is to be construed as if the reference to ten elective councillors were:
 - (a) a reference to twelve elective councillors, until the first election for elective councillors after the commencement of the inserted section, and
 - (b) from that election, and until the second election for elective councillors after the commencement of the inserted section, a reference to eleven elective councillors.
- (2) However, section 7 (Casual vacancies) does not apply in relation to either the first or the second casual vacancy (if any) in the office of an elective councillor that arises before the second election referred to in subclause (1).

6 Construction of reference to councillor nominated by Senate of University

So long as both of the members of the Senate of the University nominated under section 8 by the Senate who held office as councillors immediately before the amendment made to that section by Schedule 1 [3] to the amending Act continue to hold office as councillors:

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Schedule 1 Amendments

- (a) a reference in section 5(1) (b) (iv) (as inserted by the amending Act) to the person nominated by the Senate of the University is to be construed as a reference to the persons nominated by the Senate, and
- (b) section 8 is to be construed as if it had not been amended by the amending Act.

[Minister's **second** reading speech made in—
Legislative Assembly on 23 April 1997
Legislative Council on 15 May 1997]