New South Wales

University of Sydney Amendment By-law 2010

under the

University of Sydney Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has approved the following By-law made by the Senate of the University of Sydney under the *University of Sydney Act 1989*.

VERITY FIRTH, MP
Minister for Education and Training

Explanatory note

The objects of this By-law are:

(a)   to provide that the Secretary to Senate is to be the returning officer for elections of members of the Senate of the University of Sydney, instead of the Registrar as is currently the case, and

(b)   to provide that only students who are currently enrolled in an award course at the University are able to vote in Senate elections and be elected as undergraduate or postgraduate Senate fellows and Academic Board members, and

(c)   to enable the Secretary to Senate and the Registrar to delegate their functions under the *University of Sydney By-law 1999* to a member of the staff of the University, and

(d)   to repeal redundant savings and transitional provisions, and

(e)   to make minor and consequential amendments.

This By-law is made under the *University of Sydney Act 1989*, including sections 9, 15 and 36 (the general power to make by-laws).

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1   Name of By-law

This By-law is the *University of Sydney Amendment By-law 2010*.

2   Commencement

This By-law commences on the day on which it is published on the NSW legislation website.

Schedule 1   Amendment of University of Sydney By-law 1999

[1]   Clause 3 Definitions

Insert "or a member of the staff of the University nominated by the Registrar to exercise any of the Registrar's functions under this By-law" after "University" in the definition of *Registrar* in clause 3 (1).

[2]   Clause 3 (1), definitions of "Secretary" and "student"

Insert in alphabetical order:

> *Secretary* means the Secretary to Senate of the University or a member of the staff of the University nominated by the Secretary to exercise any of the Secretary's functions under this By-law.

> *student* means a person who is currently admitted to candidature in an award course of the University.

[3]   Clauses 14, 51, 53 and 83

Omit the clauses.

[4]   Clause 16 Returning officer

Omit "Registrar" from clause 16 (1). Insert instead "Secretary".

[5]   Clause 17 Rolls

Insert after clause 17 (2):

> (2A)   A person is not entitled to have his or her name entered on the Roll of undergraduate students or the Roll of postgraduate students unless the person has completed, to the satisfaction of the University, all requirements for enrolment or re-enrolment in the award course concerned.

[6]   Clauses 17 (4) and 18 (2) (a)

Omit "Registrar" wherever occurring. Insert instead "returning officer".

[7]   Chapter 4, Division 9

Omit the Division.

[8]   Clause 47 Functions

Insert after clause 47 (4):

> (5)   In this clause, *student* includes a person registered in a unit of study or course conducted by the University who is not admitted to candidature in an award course of the University.

[9] Clause 49 Academic Board

Insert "members" after "academic staff" in clause 49 (2) (b).

[10] Clause 49 (2) (c)

Insert "enrolled" before "students".

[11] Clause 50

Omit the clause. Insert instead:

50 Definitions

(1) In this Chapter:

academic staff member means a person who is employed as a member (other than a casual member) of the academic staff of the University.

enrolled student means a person (other than a person who is an academic staff member) who is enrolled as a student in an award course at the University.

(2) Expressions used in any rule relating to election procedures for the Academic Board have the same meaning as they have in this Chapter.

(3) In any election for the Academic Board, the question of whether a person is an academic staff member or an enrolled student is to be determined at the time of the close of nominations for the election concerned, as specified in the notice of ballot for the election.

(4) A person is not considered to be enrolled as a student in an award course unless the person has completed, to the satisfaction of the University, all requirements for enrolment or re-enrolment in the award course concerned.

[12] Clause 54 Definitions

Omit the definition of *student*.

[13] Clause 59 By Registrar

Omit ", a member of the Registrar's staff nominated by the Registrar for the purpose of this clause" from clause 59 (1).

[14] Clause 59 (1)

Omit ", the nominated member of the Registrar's staff".

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Amendment of University of Sydney By-law 1999   Schedule 1

[15]   Clause 76 Making a determination

Omit "Registrar" from clause 76 (2) (a) and (b) (ii), wherever occurring. Insert instead "University".