

[Act 1997 No 13]



New South Wales

## Women's College Amendment Bill 1997

### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

### Overview of Bill

The object of this Bill is to amend the *Women's College Act 1902* (the Act) for the following miscellaneous purposes:

- (a) to reduce the size of the Council of the Women's College from 18 members to a maximum of 15,
  - (b) to increase the size of the quorum for a meeting of that Council from 5 to 7 members,
  - (c) to provide for a Treasurer of the Council,
  - (d) to exempt members of the Council and persons acting under the direction of the Council from personal liability in respect of acts and omissions done or omitted to be done in good faith for the purposes of executing the Act,
  - (e) to repeal the provisions relating to the appointment, powers, suspension and removal of the Principal and Vice-Principal of the College, and to allow the positions of Principal and Vice-Principal to be regulated by the by-laws and by the general law relating to employment.
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## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision giving effect to the amendments to the *Women's College Act 1902* set out in Schedule 1.

**Schedule 1 [1]** inserts a definition of *Treasurer* of the Council of the Women's College for the purposes of the Act.

**Schedule 1 [2]** repeals section 5 (Constitution of Council) and inserts a proposed new section 5 and proposed section 5A in the Act.

Under section 5 at present, the Council of the Women's College (the Council) consists of 18 councillors—12 elected councillors, 5 ex-officio councillors (the Principal and Vice-Principal of the College, the President of the Women's College Union and 2 members of the Senate of the University nominated by the Senate) and a College resident (a student) appointed by the Principal.

The Council constituted by the proposed new section 5 will consist of 10 elected councillors, 4 ex-officio councillors (the Principal of the College, the Senior Student of the College, the President of the Women's College Union and one member of the Senate of the University nominated by the Senate) and the person appointed as Treasurer of the Council (if that person is not already a member of the Council).

**Proposed section 5A** enables the Council to appoint a councillor as Treasurer of the Council. If the Council is not able to appoint a councillor as Treasurer, the Council is to appoint another suitable person. However, a person is not to be appointed as Treasurer unless the person consents to the appointment. The Treasurer is taken to be a member of the Council (if not otherwise a member) while he or she holds the office of Treasurer.

The Treasurer is to be appointed for a term not exceeding one year, may be reappointed from time to time, may resign from office and may be removed from office (subject to the by-laws) by the Council.

**Schedule 1 [3]–[5]** make amendments consequential on the replacement of section 5.

**Schedule 1 [6]** increases the size of the quorum for meetings of the Council from 5 members to 7.

**Schedule 1 [7]** inserts proposed section 11A, which exempts members of the Council and persons acting under the direction of the Council from personal liability in respect of acts and omissions done or omitted to be done in good faith for the purposes of executing the Act.

**Schedule 1 [8]** repeals section 13, which provides for the appointment, powers, suspension and removal of the Principal of the College.

**Schedule 1 [9]** repeals section 13A which provides for the appointment, powers, suspension and removal of the Vice-Principal of the College.

**Schedule 1 [10]** repeals section 13B (Appeals to Visitor) in consequence of the proposed repeal of sections 13 and 13A.

**Schedule 1 [11]** amends section 16 (By-laws) to make it clear that the Council may make by-laws with respect to the Principal, Vice-Principal and Senior Student of the College and the union of members and friends of the College (currently known as the Women's College Union).

**Schedule 1 [12]** inserts a Schedule of savings and transitional provisions and a section (proposed section 17) giving effect to the Schedule. The provisions of the Schedule ensure the continuity of the Council, allow the persons (other than the Vice-Principal of the College) who are councillors on the commencement of the amendment reducing the size of the Council to complete their term of office, and provide for the phasing-in of the smaller council over 2 elections. However, the first and second casual vacancies (if any) in the office of an elective councillor will not be filled during the transitional period.