

UNIVERSITY OF TECHNOLOGY, SYDNEY BILL 1987*

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The University of Technology, Sydney (Miscellaneous Provisions) Bill 1987 is cognate with this Bill.

The objects of this Bill are—

- (a) to establish the University of Technology, Sydney, being the former New South Wales Institute of Technology;
- (b) to provide for the incorporation of the University; and
- (c) to constitute a Council of the University and define its functions, and to make other provisions relating to the University.

PART 1—PRELIMINARY

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on 1 January 1988.

Clause 3 defines expressions used in the proposed Act.

PART 2—CONSTITUTION AND FUNCTIONS OF THE UNIVERSITY

Clause 4 establishes the University.

Clause 5 states that the University is a body corporate with the name the University of Technology, Sydney.

Clause 6 provides that the common seal of the University is to be kept in such custody as the Council directs and is to be used only by resolution of the Council.

Clause 7 lists the functions of the University, with particular emphasis being placed on the role of the University in disseminating and increasing knowledge in the fields of technology, business, science, industry and design.

Clause 8 enables the University to provide appropriate facilities for its students.

* Amended in committee—see table at end of volume.

University of Technology, Sydney 1987

PART 3—THE COUNCIL

Clause 9 constitutes a Council of the University which is to be the governing authority of the University.

Clause 10 allows the Council to appoint committees to assist and advise it.

Clause 11 constitutes a Council of the University consisting of parliamentary members, official members, appointed members and elected student and non-student members.

Clause 12 lists the circumstances in which a member of the Council shall be deemed to have vacated office.

Clause 13 provides for the election of a Chancellor by the Council.

Clause 14 provides for the election of a Deputy Chancellor by the Council.

Clause 15 states that the Chancellor or, in the Chancellor's absence, the Deputy Chancellor shall preside at meetings of the Council or at committee meetings. In their absence, the members present shall elect a presiding member.

Clause 16 provides for the filling of a vacancy in the office of Vice-Chancellor and sets out what the role of the Vice-Chancellor is.

Clause 17 provides that a quorum of the Council is half the number of Council members.

Clause 18 makes it clear that a person may be re-appointed or re-elected to an office or place within the University if eligible and qualified for that office or place.

Clause 19 lists the powers of the Council. These are comprehensive powers dealing with administration of the University and its finances and the management of real and personal property of the University.

Clause 20 enables the Council to delegate its functions to a member or committee of the Council or to a University officer.

Clause 21 enables the Council to make by-laws, approved by the Governor-in-Council, with respect to the University.

Clause 22 provides that the by-laws may allow regulations, rules or orders to be made by an authority (including the Council) or an officer of the University.

PART 4—POWERS OF INVESTMENT

Clause 23 defines expressions used in Part 4.

Clause 24 provides for the terms of any instrument creating a trust with respect to a gift to the University or of any instrument of grant to prevail over clauses 25–27 which relate to investments by the Council and the distribution of any income from those investments.

Clause 25 specifies the ways in which the Council may invest different classes of funds.

Clause 26 enables the Council to establish and maintain investment pools for the collective investment of University property.

Clause 27 specifies the time and manner for distribution of the income of an investment pool.

University of Technology, Sydney 1987

Clause 28 provides that private gifts etc. included in an investment pool retain their identity as private gifts etc. While in the pool and on being withdrawn from it these gifts will still be subject to any trusts to which they were subject before being included in the pool.

PART 5—GENERAL

Clause 29 constitutes the University's Convocation.

Clause 30 enables the Treasurer to make advances of money to the University for its temporary accommodation.

Clause 31 specifies the University's financial year.

Clause 32 prohibits discrimination against a student on the grounds of the student's religious or political views or beliefs.

Clause 33 establishes the traditional role of the Governor as Visitor of the University.

Clause 34 enables land to be resumed or appropriated for the purposes of the proposed Act.

Clause 35 enables lands vested in the Crown or a Minister of the Crown to be transferred to the University.
