

## MACQUARIE UNIVERSITY BILL 1989

NEW SOUTH WALES



### EXPLANATORY NOTE

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

This Bill is cognate with the University of Sydney Bill 1989.

The objects of this Bill are:

- (a) to reconstitute the Macquarie University and its Council;
- (b) to vary the powers of the Council of the University in relation to various matters including, in particular, the making of by-laws; and
- (c) to repeal the Macquarie University Act 1964 and to re-enact its provisions (with modifications) in a new Act.

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### PART 1 - PRELIMINARY

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences (with minor exceptions) on a day or days to be proclaimed. Certain transitional provisions are to commence on the date of assent to the proposed Act.

Clause 3 defines terms used in the proposed Act.

**PART 2 - CONSTITUTION AND FUNCTIONS  
OF THE UNIVERSITY**

Clause 4 establishes the University.

Clause 5 provides for the incorporation of the University.

Clause 6 specifies the functions of the University.

Clause 7 empowers the University, for the purpose of exercising its functions, to provide such facilities for its students as it considers desirable.

**PART 3 - THE COUNCIL, AUTHORITIES AND  
OFFICERS OF THE UNIVERSITY**

Clause 8 establishes a Council of the University which is to be the governing authority of the University.

Clause 9 provides that the Council of the University shall consist of parliamentary, official, appointed and elected members.

Clause 10 contains provisions relating to the Chancellor of the University.

Clause 11 contains provisions relating to the Deputy Chancellor of the University.

Clause 12 provides that the Vice-Chancellor is the principal executive officer of the University.

Clause 13 designates the Governor as the Visitor of the University.

Clause 14 describes the University Convocation.

Clause 15 establishes an Academic Senate of the University.

**PART 4 - FUNCTIONS OF COUNCIL**

**Division 1 - General**

Clause 16 invests the Council with miscellaneous powers relating to academic, staffing and other matters.

Clause 17 permits the Council to delegate its functions.

**Division 2 - Property**

Clause 18 specifies the powers of the Council relating to property and places certain restrictions on the Council dealing with land of the University.

Clause 19 gives the Council, subject to certain restrictions, the control and management of land of the Crown on which the University is conducted.

Clause 20 provides for the resumption or appropriation of land for the benefit of the University.

Clause 21 provides for the vesting in the University of land of the Crown on which its activities are conducted.

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**PART 5 - GENERAL**

Clause 22 enables the Treasurer, with the approval of the Governor-in-Council, to advance money to the University for its temporary accommodation.

Clause 23 provides for the financial year of the University.

Clause 24 forbids religious or political discrimination in the admission of students, the conferring of degrees and awards and the appointment of staff.

Clause 25 provides for the exemption of persons, on the grounds of conscience, from membership of the body corporate of the University or of Convocation.

Clause 26 enables the re-appointment or re-election of a person to any office under the proposed Act which the person has held and for which he or she is still suitably qualified and eligible.

Clause 27 provides for the use and custody of the seal of the University.

Clause 28 enables the Council, with the approval of the Governor-in-Council, to make by-laws generally for the management, good government and discipline of the University and in relation to certain specified matters.

Clause 29 enables the Council, or another authority specified in the by-laws, to make rules for the regulation of matters concerning a subject-matter specified in the by-laws.

Clause 30 provides for the recovery of charges, fees and other money due to the University.

Clause 31 repeals the Macquarie University Act 1964, dissolves the Council of the Macquarie University constituted under that Act and declares certain offices vacant.

Clause 32 is a formal provision that gives effect to the Schedule of savings and transitional provisions. The clause also facilitates the conduct of certain elections.

**SCHEDULE 1 - PROVISIONS RELATING TO MEMBERS AND  
PROCEDURE OF THE COUNCIL**

Schedule 1 regulates Council membership (vacation of office etc.), procedure and other matters relating to the Council and its members.

**SCHEDULE 2 - POWERS OF INVESTMENT**

Schedule 2 sets out the powers of investment of the Council.

**SCHEDULE 3 - SAVINGS AND TRANSITIONAL PROVISIONS**

Schedule 3 contains miscellaneous savings and transitional provisions.

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