

[Act 1998 No 117]



New South Wales

Charles Sturt University Amendment Bill 1998

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 *Charles Sturt University Act 1989* so as:

- (a) to reconstitute the Board of Governors as a Council, and
- (b) to provide that the University no longer be constituted as a federation of "network members", but is to have major campuses at Albury, Bathurst, Dubbo and Wagga Wagga and may have campuses at other locations, and
- (c) to broaden the functions of the University beyond the current focus on the needs and aspirations of the residents of western and south-western New South Wales to include taking account of regional, national and international markets for educational services. and
- (d) to remove provisions relating to the role of, and references to, the University of New South Wales from the Act.

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

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 (other than clause 35 of Schedule 1 [29] which is to commence on the date of assent to the proposed Act).

Clause 3 is a formal provision giving effect to the amendments to the *Charles Sturt University Act 1989* set out in Schedule 1.

Reconstitution of Board as a Council

Schedule 1 [12] replaces section 9 of the Principal Act. This amendment will reconstitute the Board of Governors as a Council. The principal categories of membership of the Council will remain the same as those of the Board (that is, parliamentary members, elected members, official members and members appointed by the Minister). However, there are a number of minor changes to the composition of the Council, including:

- (a) the elected student member of the Board is to be replaced by 2 elected student members of the Council, and
- (b) the 4 members of the Board appointed by the Minister on the nomination of the University of New South Wales Council are to be replaced by 3 members of the Council appointed by the Minister on the nomination of the Charles Sturt University Council, who must be graduates of the University but must not be students or staff of the University eligible for election to the Council in accordance with proposed section 9 (6), or have been members of staff of the University who were eligible for election under section 9 (6) within the preceding 5 years, and
- (c) one member of staff responsible for the administration of a major campus, nominated by the Council, is to be an appointed member of the Council instead of all chief executive officers of the network members being official members of the Board.

Schedule 1 [1], [2], [3], [4], [11], [19] and [23]–[25] make consequential amendments following the reconstitution of the Board as a Council.

Composition of University

Schedule 1 [6] replaces section 6 of the Principal Act. This amendment removes a provision that states that the University is a federation of network members. Proposed section 6 states that the University is to have campuses at Albury, Bathurst, Dubbo and Wagga Wagga and may have campuses at other locations. **Schedule 1 [16]** omits section 13 which provided for chief executive officers for network members. **Schedule 1 [18]** removes the requirement that the University establish an advisory council for each network member but the Council will be required to establish an advisory committee for each major campus. **Schedule 1 [17]** makes a consequential amendment.

Functions of University and Council

Schedule 1 [7] amends section 7 (1) (a) of the Principal Act to broaden the functions of the University in relation to the provision of educational facilities so that account may be taken of regional, national and international markets for educational services, while still retaining a focus on the needs and aspirations of the residents of western and south-western New South Wales. **Schedule 1 [9]** makes a similar amendment to section 7 (1) (d) in relation to the development of consultancy and entrepreneurial activities. **Schedule 1 [8]** makes a consequential amendment. **Schedule 1 [20]** replaces section 18 of the Principal Act with a simplified statement of the Council's functions that is consistent with corresponding provisions in other Acts relating to universities in New South Wales.

Other amendments

Schedule 1 [5] is an amendment by way of statute law revision. **Schedule 1 [10]** removes a provision that requires the University to collaborate with the University of New South Wales in the development of academic programs to be offered by the University. **Schedule 1 [13]–[15]** amend sections 10, 11 and 12 to omit spent provisions. **Schedule 1 [21]** replaces the term "non-academic staff" with "general staff" in section 31 (1) (k) so that the reference will be consistent with the terminology in proposed section 9 and the definition that has been inserted by Schedule 1 [3]. **Schedule 1 [22]** and **[26]** omit section 34 of, and Schedule 3 to, the Principal Act which are now spent. **Schedule 1 [27]** and **[29]** insert a number of savings and transitional provisions into Schedule 4 to the Principal Act. **Schedule 1 [28]** removes a number of savings and transitional provisions, the operation of which is spent, from Schedule 4 to the Principal Act.