



New South Wales

Universities Legislation Amendment (Regulatory Reforms) Bill 2014

Explanatory note

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

Overview of Bill

The object of this Bill is to amend various Acts establishing universities (the *University Acts*) to remove certain regulatory requirements relating to financial management, land dealings and governing body election procedures of the universities and to put beyond doubt the capacity of the universities to generate revenue to fund the objects and principal functions of the university. In relation to each university:

- (a) the requirement for the Governor on the recommendation of the Treasurer to approve borrowings by the university is removed, and
- (b) the requirement for the Minister for Education with the concurrence of the Treasurer to approve university investment powers is removed, and
- (c) the university is specifically authorised to generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions, and
- (d) the requirement for the Treasurer on the recommendation of the Minister for Education to approve fund managers is removed, and
- (e) the requirement for the Minister for Education on the advice of the Treasurer to approve guidelines for commercial activities carried on by the university is removed, and
- (f) the requirement for the Minister for Education to approve the sale, encumbrance or lease for more than 21 years of university land is removed and is replaced with a requirement for such approval where the land concerned was granted, transferred or sold at nominal or less than market value to the university by the State or is the lease of any land acquired from the State for a term of more than 21 years, and

- (g) the limitation preventing the university from leasing certain land vested in the Crown which is under the university's control and management for more than 21 years is removed and replaced with a requirement permitting leases for more than 21 years with the approval of the Minister for Education, and
- (h) the university is empowered to delegate to the governing body of the university the power to make rules concerning procedures for elections to that body instead of them being prescribed by the by-laws.

The Bill also:

- (i) amends the *University of Wollongong Act 1989*:
 - (i) to remove references to the "Convocation" of the University (**Schedule 1.10 [1], [3] and [13]**), and
 - (ii) to enable the Vice-Chancellor of the University to sub-delegate functions delegated to the Vice-Chancellor by the Council of the University (**Schedule 1.10 [5]**), and
- (j) makes a consequential amendment to omit Part 11 (Convocation) of the *University of Wollongong By-law 2005* (**Schedule 1.11**), and
- (k) amends the *University of Newcastle Act 1989*:
 - (i) to formally include the President of the Academic Senate as a member and chair of the Academic Senate of the University (**Schedule 1.6 [2]**), and
 - (ii) to enable the Vice-Chancellor of the University to sub-delegate functions delegated to the Vice-Chancellor by the Council of the University (**Schedule 1.6 [4]**), and
- (l) amends the *Macquarie University Act 1989* to correct a cross-reference (**Schedule 1.2 [14]**), and
- (m) amends each University Act to make amendments of a consequential or savings nature.

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 the date of assent to the proposed Act.

Schedule 1 Amendment of Acts and by-law

Schedule 1 amends the University Acts and a by-law as described in the Overview of the Bill.

Schedule 1.1 [2], 1.2 [2], 1.3 [2], 1.4 [2], 1.5 [2], 1.6 [3], 1.7 [2], 1.8 [2], 1.9 [2] and 1.10 [4] amend the University Acts to achieve the object described in paragraph (a) of the Overview of the Bill.

Schedule 1.1 [15], 1.2 [15], 1.3 [14], 1.4 [14], 1.5 [14], 1.6 [17], 1.7 [14], 1.8 [15], 1.9 [14] and 1.10 [18] amend the University Acts to achieve the object described in paragraph (b) of the Overview of the Bill.

Schedule 1.1 [1], 1.2 [1], 1.3 [1], 1.4 [1], 1.5 [1], 1.6 [1], 1.7 [1], 1.8 [1], 1.9 [1] and 1.10 [2] amend the University Acts to achieve the object described in paragraph (c) of the Overview of the Bill.

Schedule 1.1 [16], 1.2 [16], 1.3 [15], 1.4 [15], 1.5 [15], 1.6 [18], 1.7 [15], 1.8 [16], 1.9 [15] and 1.10 [19] amend the University Acts to achieve the object described in paragraph (d) of the Overview of the Bill.

Schedule 1.1 [8]–[10], 1.2 [7]–[9], 1.3 [7]–[9], 1.4 [7]–[9], 1.5 [7]–[9], 1.6 [10]–[12], 1.7 [7]–[9], 1.8 [8]–[10], 1.9 [7]–[9] and 1.10 [10]–[12] amend the University Acts to achieve the object described in paragraph (e) of the Overview of the Bill and make consequential amendments.

Schedule 1.1 [3]–[5], 1.2 [3]–[5], 1.3 [3]–[5], 1.4 [3]–[5], 1.5 [3]–[5], 1.6 [5]–[7], 1.7 [3]–[5], 1.8 [3]–[5], 1.9 [3]–[5] and 1.10 [6]–[8] amend the University Acts to achieve the object described in paragraph (f) of the Overview of the Bill and make consequential amendments.

Schedule 1.1 [6] and [7], 1.2 [6], 1.3 [6], 1.4 [6], 1.5 [6], 1.6 [8] and [9], 1.7 [6], 1.8 [6] and [7], 1.9 [6] and 1.10 [9] amend the University Acts to achieve the object described in paragraph (g) of the Overview of the Bill and make consequential amendments.

Schedule 1.1 [11]–[14], 1.2 [10]–[13], 1.3 [10]–[13], 1.4 [10]–[13], 1.5 [10]–[13], 1.6 [13]–[16], 1.7 [10]–[13], 1.8 [11]–[14], 1.9 [10]–[13] and 1.10 [14]–[17] amend the University Acts to achieve the object described in paragraph (h) of the Overview of the Bill and make consequential amendments.

Schedule 1.1 [17] and [18], 1.2 [17] and [18], 1.3 [16] and [17], 1.4 [16] and [17], 1.5 [16] and [17], 1.6 [19] and [20], 1.7 [16] and [17], 1.8 [17] and [18], 1.9 [16] and [17] and 1.10 [20] and [21] amend the University Acts to insert savings and transitional provisions.



New South Wales

Universities Legislation Amendment (Regulatory Reforms) Bill 2014

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Acts and by-law	3



New South Wales

Universities Legislation Amendment (Regulatory Reforms) Bill 2014

No. , 2014

A Bill for

An Act to amend various Acts establishing universities with respect to government regulation of the financial management, certain land dealings and governing body election procedures of the universities; and for other purposes.

The Legislature of New South Wales enacts:

1

1 Name of Act

2

This Act is the *Universities Legislation Amendment (Regulatory Reforms) Act 2014*.

3

2 Commencement

4

This Act commences on the date of assent to this Act.

5

Schedule 1	Amendment of Acts and by-law	1
1.1	Charles Sturt University Act 1989 No 76	2
[1]	Section 7 Object and functions of University	3
	Insert after section 7 (3) (a):	4
	(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	5 6 7
[2]	Section 19 Functions of Council	8
	Omit section 19 (1) (d). Insert instead:	9
	(d) borrow money,	10
[3]	Section 21 Powers of Council relating to property	11
	Omit section 21 (1) (a). Insert instead:	12
	(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	13 14 15
[4]	Section 21 (2)–(3)	16
	Omit section 21 (2) and (3). Insert instead:	17
	(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	18 19
	(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	20 21 22
	(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	23 24
	(a) the term of the lease does not exceed 21 years, and	25
	(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	26 27 28
[5]	Section 21 (5)	29
	Insert “grant,” after “gift,”.	30
[6]	Section 22 Powers of Council over certain property vested in Crown	31
	Omit section 22 (4) (a). Insert instead:	32
	(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	33 34 35
[7]	Section 22 (4) (b)	36
	Omit “shall” wherever occurring. Insert instead “must”.	37
[8]	Section 24A Definitions	38
	Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	39

[9] Section 24B Guidelines for commercial activities	1
Omit section 24B (1) and (2). Insert instead:	2
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	3 4 5
(2) The Council may by resolution amend or replace the Guidelines from time to time.	6 7
[10] Section 24B (5) and (6)	8
Omit the subsections.	9
[11] Section 32 Rules	10
Omit “8E, 8F” from section 32 (1). Insert instead “8E (2) (c) (i) and (3) (a), 8F (4)”.	11
[12] Section 32 (1)	12
Omit “31 (1) (b) and (k)”. Insert instead “31 (1) (k)”.	13
[13] Section 32 (1)	14
Insert “(to the extent it relates to appointments)” after “Schedule 1”.	15
[14] Section 32 (1A)–(1C)	16
Insert after section 32 (1):	17
(1A) Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8E (3) (b), 8F (2) (a) and 31 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	18 19 20 21
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	22 23
(1C) The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	24 25 26
[15] Schedule 2 Investment	27
Omit clause 2.	28
[16] Schedule 2, clause 2A	29
Omit the clause. Insert instead:	30
2A Funds managers	31
(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	32 33
(2) Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	34 35 36
[17] Schedule 4 Savings and transitional provisions	37
Omit clause 1 (1). Insert instead:	38
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	39 40

[18] Schedule 4, Part 8	1
Insert after Part 7:	2
Part 8 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014	3 4 5
48 Definition	6
In this Part:	7
<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	8 9
49 Guidelines for commercial activities	10
The Guidelines approved for the time being under section 24B, as in force immediately before the amendments made to that section by the amending Act, continue to have effect as if they were Guidelines determined by the Council under that section as amended.	11 12 13 14
50 Existing investments	15
An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	16 17 18
51 Previously acquired land	19
Section 21 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	20 21
1.2 Macquarie University Act 1989 No 126	22
[1] Section 6 Object and functions of University	23
Insert after section 6 (3) (a):	24
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	25 26 27
[2] Section 16 Functions of Council	28
Omit section 16 (1) (d). Insert instead:	29
(d) borrow money,	30
[3] Section 18 Powers of Council relating to property	31
Omit section 18 (1) (a). Insert instead:	32
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	33 34 35
[4] Section 18 (2)–(3)	36
Omit section 18 (2) and (3). Insert instead:	37
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	38 39

(2A)	The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	1 2 3
(3)	Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	4 5
(a)	the term of the lease does not exceed 21 years, and	6
(b)	the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	7 8 9
[5]	Section 18 (5)	10
	Insert “grant,” after “gift.”	11
[6]	Section 19 Powers of Council over certain property vested in Crown	12
	Omit section 19 (4) (a). Insert instead:	13
(a)	must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	14 15 16
[7]	Section 21A Definitions	17
	Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	18
[8]	Section 21B Guidelines for commercial activities	19
	Omit section 21B (1) and (2). Insert instead:	20
(1)	The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	21 22 23
(2)	The Council may by resolution amend or replace the Guidelines from time to time.	24 25
[9]	Section 21B (5) and (6)	26
	Omit the subsections.	27
[10]	Section 29 Rules	28
	Omit “8D, 8E” from section 29 (1). Insert instead “8D (2) (c) (i) and (3) (a), 8E (4)”.	29
[11]	Section 29 (1)	30
	Omit “28 (1) (b) and (k)”. Insert instead “28 (1) (k)”.	31
[12]	Section 29 (1)	32
	Insert “(to the extent it relates to appointments)” after “Schedule 1”.	33
[13]	Section 29 (1A)–(1C)	34
	Insert after section 29 (1):	35
(1A)	Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8D (3) (b), 8E (2) (a) and 28 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	36 37 38 39

(1B)	Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	1 2
(1C)	The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	3 4 5
[14]	Schedule 1 Provisions relating to members and procedure of the Council	6
	Omit “appointed under section 9 (1) (g)” from clause 2 (j).	7
	Insert instead “appointed under section 8E”.	8
[15]	Schedule 2 Investment	9
	Omit clause 2.	10
[16]	Schedule 2, clause 2A	11
	Omit the clause. Insert instead:	12
	2A Funds managers	13
	(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	14 15
	(2) Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	16 17 18
[17]	Schedule 3 Savings and transitional provisions	19
	Omit clause 1A (1). Insert instead:	20
	(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	21 22
[18]	Schedule 3, clauses 14–16	23
	Insert after clause 13:	24
	14 Guidelines for commercial activities	25
	The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , continue to have effect as if they were Guidelines determined by the Council under that section as amended.	26 27 28 29 30
	15 Existing investments	31
	An amendment made to this Act by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	32 33 34 35
	16 Previously acquired land	36
	Section 18 (2)–(3), as inserted by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , extend to land acquired from the State before the insertion of those subsections.	37 38 39

1.3 Southern Cross University Act 1993 No 69	1
[1] Section 6 Object and functions of University	2
Insert after section 6 (3) (a):	3
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	4 5 6
[2] Section 16 Functions of Council	7
Omit section 16 (1) (d). Insert instead:	8
(d) borrow money,	9
[3] Section 18 Powers of Council relating to property	10
Omit section 18 (1) (a). Insert instead:	11
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	12 13 14
[4] Section 18 (2)–(3)	15
Omit section 18 (2) and (3). Insert instead:	16
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	17 18
(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	19 20 21
(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	22 23
(a) the term of the lease does not exceed 21 years, and	24
(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	25 26 27
[5] Section 18 (5)	28
Insert “grant,” after “gift.”	29
[6] Section 19 Powers of Council over certain property vested in Crown	30
Omit section 19 (4) (a). Insert instead:	31
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	32 33 34
[7] Section 21A Definitions	35
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	36
[8] Section 21B Guidelines for commercial activities	37
Omit section 21B (1) and (2). Insert instead:	38
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	39 40 41

(2)	The Council may by resolution amend or replace the Guidelines from time to time.	1 2
[9]	Section 21B (5) and (6)	3
	Omit the subsections.	4
[10]	Section 30 Rules	5
	Omit “10 (1) (c)–(g) and (8)” from section 30 (1).	6
	Insert instead “10 (1) (c), (d) (ii), (e) (ii), (f) (ii), (g) (ii) and (8)”.	7
[11]	Section 30 (1)	8
	Omit “29 (1) (b) and (k)”. Insert instead “29 (1) (k)”.	9
[12]	Section 30 (1)	10
	Omit “clauses 1 (1) (c) and (d) and 3 of Schedule 1”.	11
	Insert instead “clause 1 (1) (c) and (d) of Schedule 1 and clause 3 of that Schedule (to the extent it relates to appointments)”.	12 13
[13]	Section 30 (1A)–(1C)	14
	Insert after section 30 (1):	15
(1A)	Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 10 (1) (d) (iii), (e) (iii), (f) (iii) and (g) (iii) and 29 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	16 17 18 19
(1B)	Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	20 21
(1C)	The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	22 23 24
[14]	Schedule 2 Investment	25
	Omit clause 2.	26
[15]	Schedule 2, clause 2A	27
	Omit the clause. Insert instead:	28
	2A Funds managers	29
(1)	The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	30 31
(2)	Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	32 33 34
[16]	Schedule 3 Savings and transitional provisions	35
	Omit clause 2 (1). Insert instead:	36
(1)	The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	37 38

[17] Schedule 3, Part 9	1
Insert after Part 8:	2
Part 9 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014	3 4 5
39 Definition	6
In this Part:	7
<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	8 9
40 Guidelines for commercial activities	10
The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the amending Act, continue to have effect as if they were Guidelines determined by the Council under that section as amended.	11 12 13 14
41 Existing investments	15
An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	16 17 18
42 Previously acquired land	19
Section 18 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	20 21
1.4 University of New England Act 1993 No 68	22
[1] Section 6 Object and functions of University	23
Insert after section 6 (3) (a):	24
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	25 26 27
[2] Section 16 Functions of Council	28
Omit section 16 (1) (d). Insert instead:	29
(d) borrow money,	30
[3] Section 18 Powers of Council relating to property	31
Omit section 18 (1) (a). Insert instead:	32
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	33 34 35
[4] Section 18 (2)–(3)	36
Omit section 18 (2) and (3). Insert instead:	37
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	38 39

(2A)	The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	1 2 3
(3)	Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	4 5
(a)	the term of the lease does not exceed 21 years, and	6
(b)	the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	7 8 9
[5]	Section 18 (5)	10
	Insert “grant,” after “gift.”	11
[6]	Section 19 Powers of Council over certain property vested in Crown	12
	Omit section 19 (4) (a). Insert instead:	13
(a)	must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	14 15 16
[7]	Section 21A Definitions	17
	Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	18
[8]	Section 21B Guidelines for commercial activities	19
	Omit section 21B (1) and (2). Insert instead:	20
(1)	The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	21 22 23
(2)	The Council may by resolution amend or replace the Guidelines from time to time.	24 25
[9]	Section 21B (5) and (6)	26
	Omit the subsections.	27
[10]	Section 29 Rules	28
	Omit “9 (1) (c)–(h) and (8)” from section 29 (1).	29
	Insert instead “9 (1) (c), (d) (ii), (e) (ii), (f) (ii), (g) (ii) and (h) (ii) and (8)”.	30
[11]	Section 29 (1)	31
	Omit “28 (1) (b) and (k)”. Insert instead “28 (1) (k)”.	32
[12]	Section 29 (1)	33
	Omit “clauses 1 (1) (c) and (d) and 3 of Schedule 1”.	34
	Insert instead “clause 1 (1) (c) and (d) of Schedule 1 and clause 3 of that Schedule (to the extent it relates to appointments)”.	35 36
[13]	Section 29 (1A)–(1C)	37
	Insert after section 29 (1):	38
(1A)	Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to	39 40

	in sections 9 (1) (d) (iii), (e) (iii), (f) (iii), (g) (iii) and (h) (iii) and 28 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	1 2
(1B)	Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	3 4
(1C)	The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	5 6 7
[14] Schedule 2 Investment		8
	Omit clause 2.	9
[15] Schedule 2, clause 2A		10
	Omit the clause. Insert instead:	11
2A Funds managers		12
(1)	The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	13 14
(2)	Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	15 16 17
[16] Schedule 3 Savings and transitional provisions		18
	Omit clause 2 (1). Insert instead:	19
(1)	The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	20 21
[17] Schedule 3, Part 9		22
	Insert after Part 8:	23
Part 9 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014		24 25 26
43 Definition		27
	In this Part:	28
	<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	29 30
44 Guidelines for commercial activities		31
	The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the amending Act, continue to have effect as if they were Guidelines determined by the Council under that section as amended.	32 33 34 35
45 Existing investments		36
	An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	37 38 39

46	Previously acquired land	1
	Section 18 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	2 3
1.5	University of New South Wales Act 1989 No 125	4
[1]	Section 6 Object and functions of University	5
	Insert after section 6 (3) (a):	6
	(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	7 8 9
[2]	Section 15 Functions of Council	10
	Omit section 15 (1) (d). Insert instead:	11
	(d) borrow money,	12
[3]	Section 17 Powers of Council relating to property	13
	Omit section 17 (1) (a). Insert instead:	14
	(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	15 16 17
[4]	Section 17 (2)–(3)	18
	Omit section 17 (2) and (3). Insert instead:	19
	(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	20 21
	(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	22 23 24
	(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	25 26
	(a) the term of the lease does not exceed 21 years, and	27
	(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	28 29 30
[5]	Section 17 (5)	31
	Insert “grant,” after “gift,”.	32
[6]	Section 18 Powers of Council over certain property vested in Crown	33
	Omit section 18 (4) (a). Insert instead:	34
	(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	35 36 37
[7]	Section 20A Definitions	38
	Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	39

[8] Section 20B Guidelines for commercial activities	1
Omit section 20B (1) and (2). Insert instead:	2
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	3 4 5
(2) The Council may by resolution amend or replace the Guidelines from time to time.	6 7
[9] Section 20B (5) and (6)	8
Omit the subsections.	9
[10] Section 28 Rules	10
Omit “8D, 8E” from section 28 (1). Insert instead “8D (2) (c) (i) and (3) (a), 8E (4)”.	11
[11] Section 28 (1)	12
Omit “27 (1) (b) and (k)”. Insert instead “27 (1) (k)”.	13
[12] Section 28 (1)	14
Insert “(to the extent it relates to appointments)” after “Schedule 1”.	15
[13] Section 28 (1A)–(1C)	16
Insert after section 28 (1):	17
(1A) Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8D (3) (b), 8E (2) (a) and 27 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	18 19 20 21
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	22 23
(1C) The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	24 25 26
[14] Schedule 2 Investment	27
Omit clause 2.	28
[15] Schedule 2, clause 2A	29
Omit the clause. Insert instead:	30
2A Funds managers	31
(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	32 33
(2) Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	34 35 36
[16] Schedule 3 Savings and transitional provisions	37
Omit clause 1A (1). Insert instead:	38
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	39 40

[17] Schedule 3, clauses 14–16	1
Insert after clause 13:	2
14 Guidelines for commercial activities	3
The Guidelines approved for the time being under section 20B, as in force immediately before the amendments made to that section by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , continue to have effect as if they were Guidelines determined by the Council under that section as amended.	4 5 6 7 8
15 Existing investments	9
An amendment made to this Act by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	10 11 12 13
16 Previously acquired land	14
Section 17 (2)–(3), as inserted by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , extend to land acquired from the State before the insertion of those subsections.	15 16 17
1.6 University of Newcastle Act 1989 No 68	18
[1] Section 6 Object and functions of University	19
Insert after section 6 (3) (a):	20
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	21 22 23
[2] Section 15 Academic Senate	24
Insert after section 15 (1) (a):	25
(a1) the person for the time being holding the office of President of the Academic Senate (if the person is not the Vice-Chancellor), and	26 27
[3] Section 16 Functions of Council	28
Omit section 16 (1) (d). Insert instead:	29
(d) borrow money,	30
[4] Section 17 Delegation by Council	31
Insert at the end of the section:	32
(2) If a function of the Council is delegated to the Vice-Chancellor in accordance with subsection (1) and the instrument of delegation authorises the sub-delegation of the function, the Vice-Chancellor may (subject to any condition to which the delegation is subject) sub-delegate the function to any person or body referred to in subsection (1).	33 34 35 36 37
[5] Section 18 Powers of Council relating to property	38
Omit section 18 (1) (a). Insert instead:	39
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	40 41 42

[6] Section 18 (2)–(3)	1
Omit section 18 (2) and (3). Insert instead:	2
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	3 4
(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	5 6 7
(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	8 9
(a) the term of the lease does not exceed 21 years, and	10
(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	11 12 13
[7] Section 18 (5)	14
Insert “grant,” after “gift,”.	15
[8] Section 19 Powers of Council over certain property vested in Crown	16
Omit section 19 (4) (a). Insert instead:	17
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	18 19 20
[9] Section 19 (4) (b)	21
Omit “shall” wherever occurring. Insert instead “must”.	22
[10] Section 21A Definitions	23
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	24
[11] Section 21B Guidelines for commercial activities	25
Omit section 21B (1) and (2). Insert instead:	26
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	27 28 29
(2) The Council may by resolution amend or replace the Guidelines from time to time.	30 31
[12] Section 21B (5) and (6)	32
Omit the subsections.	33
[13] Section 29 Rules	34
Omit “8D, 8E” from section 29 (1). Insert instead “8D (2) (c) (i) and (3) (a), 8E (4)”.	35
[14] Section 29 (1)	36
Omit “28 (1) (b) and (k)”. Insert instead “28 (1) (k)”.	37
[15] Section 29 (1)	38
Insert “(to the extent it relates to appointments)” after “Schedule 1”.	39

[16] Section 29 (1A)–(1C)	1
Insert after section 29 (1):	2
(1A) Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8D (3) (b), 8E (2) (a) and 28 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	3 4 5 6
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	7 8
(1C) The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	9 10 11
[17] Schedule 2 Investment	12
Omit clause 2.	13
[18] Schedule 2, clause 2A	14
Omit the clause. Insert instead:	15
2A Funds managers	16
(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	17 18
(2) Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	19 20 21
[19] Schedule 3 Savings and transitional provisions	22
Omit clause 1A (1). Insert instead:	23
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	24 25
[20] Schedule 3, Part 6	26
Insert after Part 5:	27
Part 6 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014	28 29 30
22 Definition	31
In this Part:	32
<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	33 34
23 Academic Senate	35
The amendment made to section 15 by the amending Act does not affect the continuity or legal status of the Academic Senate.	36 37
24 Guidelines for commercial activities	38
The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the amending	39 40

Act, continue to have effect as if they were Guidelines determined by the Council under that section as amended.	1 2
25 Existing investments	3
An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	4 5 6
26 Previously acquired land	7
Section 18 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	8 9
1.7 University of Sydney Act 1989 No 124	10
[1] Section 6 Object and functions of University	11
Insert after section 6 (3) (a):	12
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	13 14 15
[2] Section 16 Functions of Senate	16
Omit section 16 (1) (d). Insert instead:	17
(d) borrow money,	18
[3] Section 18 Powers of Senate relating to property	19
Omit section 18 (1) (a). Insert instead:	20
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	21 22 23
[4] Section 18 (2)–(3)	24
Omit section 18 (2) and (3). Insert instead:	25
(2) The Senate may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	26 27
(2A) The Senate must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	28 29 30
(3) Despite subsection (2A), the Senate may, without the approval of the Minister, lease any such lands if:	31 32
(a) the term of the lease does not exceed 21 years, and	33
(b) the Senate is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	34 35 36
[5] Section 18 (5)	37
Insert “grant,” after “gift.”	38

[6] Section 19 Powers of Senate over certain property vested in Crown	1
Omit section 19 (4) (a). Insert instead:	2
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	3 4 5
[7] Section 26A Definitions	6
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	7
[8] Section 26B Guidelines for commercial activities	8
Omit section 26B (1) and (2). Insert instead:	9
(1) The Senate must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	10 11 12
(2) The Senate may by resolution amend or replace the Guidelines from time to time.	13 14
[9] Section 26B (5) and (6)	15
Omit the subsections.	16
[10] Section 37 Rules	17
Omit “9 (1) (d)–(h), (6) and (8)” from section 37 (1).	18
Insert instead “9 (1) (d) (ii), (e) (ii), (f) (ii), (g) (ii) and (h) (ii), (6) and (8)”.	19
[11] Section 37 (1)	20
Omit “36 (1) (b) and (k)”. Insert instead “36 (1) (k)”.	21
[12] Section 37 (1)	22
Omit “clauses 1 (1) (c) and (d) and 3 of Schedule 1”.	23
Insert instead “clause 1 (1) (c) and (d) of Schedule 1 and clause 3 of that Schedule (to the extent it relates to appointments)”.	24 25
[13] Section 37 (1A)–(1C)	26
Insert after section 37 (1):	27
(1A) Despite subsection (1), only the Senate may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 9 (1) (d) (iii), (e) (iii), (f) (iii), (g) (iii) and (h) (iii) and 36 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	28 29 30 31
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	32 33
(1C) The Senate must ensure that any election rule it makes is made readily available to the public by whatever means the Senate considers appropriate as soon as practicable after it is made.	34 35 36
[14] Schedule 2 Investment	37
Omit clause 2.	38

[15] Schedule 2, clause 2A	1
Omit the clause. Insert instead:	2
2A Funds managers	3
(1) The Senate may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	4 5
(2) Such a funds manager may on behalf of the Senate invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	6 7 8
[16] Schedule 3 Savings and transitional provisions	9
Omit clause 1A (1). Insert instead:	10
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	11 12
[17] Schedule 3, clauses 15–17	13
Insert after clause 14:	14
15 Guidelines for commercial activities	15
The Guidelines approved for the time being under section 26B, as in force immediately before the amendments made to that section by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , continue to have effect as if they were Guidelines determined by the Senate under that section as amended.	16 17 18 19 20
16 Existing investments	21
An amendment made to this Act by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	22 23 24 25
17 Previously acquired land	26
Section 18 (2)–(3), as inserted by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , extend to land acquired from the State before the insertion of those subsections.	27 28 29
1.8 University of Technology, Sydney, Act 1989 No 69	30
[1] Section 6 Object and functions of University	31
Insert after section 6 (3) (a):	32
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	33 34 35
[2] Section 16 Functions of Council	36
Omit section 16 (1) (d). Insert instead:	37
(d) borrow money,	38

[3] Section 18 Powers of Council relating to property	1
Omit section 18 (1) (a). Insert instead:	2
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	3 4 5
[4] Section 18 (2)–(3)	6
Omit section 18 (2) and (3). Insert instead:	7
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	8 9
(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	10 11 12
(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	13 14
(a) the term of the lease does not exceed 21 years, and	15
(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	16 17 18
[5] Section 18 (5)	19
Insert “grant,” after “gift,”.	20
[6] Section 19 Powers of Council over certain property vested in Crown	21
Omit section 19 (4) (a). Insert instead:	22
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	23 24 25
[7] Section 19 (4) (b)	26
Omit “shall” wherever occurring. Insert instead “must”.	27
[8] Section 21A Definitions	28
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	29
[9] Section 21B Guidelines for commercial activities	30
Omit section 21B (1) and (2). Insert instead:	31
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	32 33 34
(2) The Council may by resolution amend or replace the Guidelines from time to time.	35 36
[10] Section 21B (5) and (6)	37
Omit the subsections.	38
[11] Section 29 Rules	39
Omit “8D, 8E” from section 29 (1). Insert instead “8D (2) (c) (i) and (3) (a), 8E (4)”.	40

[12] Section 29 (1)	1
Omit “28 (1) (b) and (k) and clauses 1 (1) (c) and (d) and”.	2
Insert instead “28 (1) (k) and clause”.	3
[13] Section 29 (1)	4
Insert “(to the extent it relates to appointments)” after “Schedule 1”.	5
[14] Section 29 (1A)–(1C)	6
Insert after section 29 (1):	7
(1A) Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8D (3) (b), 8E (2) (a) and 28 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	8 9 10 11
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	12 13
(1C) The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	14 15 16
[15] Schedule 2 Investment	17
Omit clause 2.	18
[16] Schedule 2, clause 2A	19
Omit the clause. Insert instead:	20
2A Funds managers	21
(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	22 23
(2) Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	24 25 26
[17] Schedule 3 Savings and transitional provisions	27
Omit clause 1A (1). Insert instead:	28
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	29 30
[18] Schedule 3, Part 6	31
Insert after Part 5:	32
Part 6 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014	33 34 35
22 Definition	36
In this Part:	37
<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	38 39

23	Guidelines for commercial activities	1
	The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the amending Act, continue to have effect as if they were Guidelines determined by the Council under that section as amended.	2 3 4 5
24	Existing investments	6
	An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	7 8 9
25	Previously acquired land	10
	Section 18 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	11 12
1.9	University of Western Sydney Act 1997 No 116	13
[1]	Section 8 Object and functions of University	14
	Insert after section 8 (3) (a):	15
	(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	16 17 18
[2]	Section 22 Functions of Board	19
	Omit section 22 (1) (e). Insert instead:	20
	(e) borrow money,	21
[3]	Section 24 Powers of Board relating to property	22
	Omit section 24 (1) (a). Insert instead:	23
	(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	24 25 26
[4]	Section 24 (2)–(3)	27
	Omit section 24 (2) and (3). Insert instead:	28
	(2) The Board may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	29 30
	(2A) The Board must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	31 32 33
	(3) Despite subsection (2A), the Board may, without the approval of the Minister, lease any such lands if:	34 35
	(a) the term of the lease does not exceed 21 years, and	36
	(b) the Board is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	37 38 39
[5]	Section 24 (5)	40
	Insert “grant,” after “gift.”	41

[6] Section 26 Powers of Board over certain property vested in Crown	1
Omit section 26 (4) (a). Insert instead:	2
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	3 4 5
[7] Section 32A Definitions	6
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	7
[8] Section 32B Guidelines for commercial activities	8
Omit section 32B (1) and (2). Insert instead:	9
(1) The Board must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	10 11 12
(2) The Board may by resolution amend or replace the Guidelines from time to time.	13 14
[9] Section 32B (5) and (6)	15
Omit the subsections.	16
[10] Section 41 Rules	17
Omit “12 (1) (c)–(h) and (8)” from section 41 (1).	18
Insert instead “12 (1) (c), (d) (ii), (e) (ii), (f) (ii), (g) (ii) and (h) (ii) and (8)”.	19
[11] Section 41 (1)	20
Omit “40 (1) (b)”. Insert instead “40 (1) (ja)”.	21
[12] Section 41 (1)	22
Omit “clauses 1 (1) (c) and (d) and 3 of Schedule 1”.	23
Insert instead “clause 1 (1) (c) and (d) of Schedule 1 and clause 3 of that Schedule (to the extent it relates to appointments)”.	24 25
[13] Section 41 (1A)–(1C)	26
Insert after section 41 (1):	27
(1A) Despite subsection (1), only the Board may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 12 (1) (d) (iii), (e) (iii), (f) (iii), (g) (iii) and (h) (iii) and 40 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	28 29 30 31
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	32 33
(1C) The Board must ensure that any election rule it makes is made readily available to the public by whatever means the Board considers appropriate as soon as practicable after it is made.	34 35 36
[14] Schedule 2 Investment	37
Omit clause 2.	38

[15] Schedule 2, clause 2A	1
Omit the clause. Insert instead:	2
2A Funds managers	3
(1) The Board may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	4 5
(2) Such a funds manager may on behalf of the Board invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	6 7 8
[16] Schedule 4 Savings, transitional and other provisions	9
Omit clause 1 (1). Insert instead:	10
(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	11 12
[17] Schedule 4, Part 6	13
Insert after Part 5:	14
Part 6 Provisions consequent on enactment of Universities Legislation Amendment (Regulatory Reforms) Act 2014	15 16 17
32 Definition	18
In this Part:	19
<i>amending Act</i> means the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> .	20 21
33 Guidelines for commercial activities	22
The Guidelines approved for the time being under section 32B, as in force immediately before the amendments made to that section by the amending Act, continue to have effect as if they were Guidelines determined by the Board under that section as amended.	23 24 25 26
34 Existing investments	27
An amendment made to this Act by the amending Act does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	28 29 30
35 Previously acquired land	31
Section 24 (2)–(3), as inserted by the amending Act, extend to land acquired from the State before the insertion of those subsections.	32 33
1.10 University of Wollongong Act 1989 No 127	34
[1] Section 4 Establishment of University	35
Omit section 4 (b).	36

[2] Section 6 Object and functions of University	1
Insert after section 6 (3) (a):	2
(a1) without limiting paragraph (a), the University may generate revenue for the purpose of funding the promotion of its object and the carrying out of its principal functions,	3 4 5
[3] Section 14 Convocation	6
Omit the section.	7
[4] Section 16 Functions of Council	8
Omit section 16 (1) (d). Insert instead:	9
(d) borrow money,	10
[5] Section 17 Delegation by Council	11
Insert at the end of the section:	12
(2) If a function of the Council is delegated to the Vice-Chancellor in accordance with subsection (1) and the instrument of delegation authorises the sub-delegation of the function, the Vice-Chancellor may (subject to any condition to which the delegation is subject) sub-delegate the function to any person or body referred to in subsection (1).	13 14 15 16 17
[6] Section 18 Powers of Council relating to property	18
Omit section 18 (1) (a). Insert instead:	19
(a) may acquire (whether by purchase, gift, grant, bequest, devise or otherwise) any property for the purposes of this Act and may agree to carry out the conditions of any such acquisition, and	20 21 22
[7] Section 18 (2)–(3)	23
Omit section 18 (2) and (3). Insert instead:	24
(2) The Council may, subject to this section, alienate, mortgage, charge or demise any lands of the University.	25 26
(2A) The Council must not alienate, mortgage, charge or demise any lands acquired by the University from the State at nominal or less than market value except with the approval of the Minister.	27 28 29
(3) Despite subsection (2A), the Council may, without the approval of the Minister, lease any such lands if:	30 31
(a) the term of the lease does not exceed 21 years, and	32
(b) the Council is satisfied that it is to the benefit of the University, whether from a financial or educational standpoint or otherwise, that the lease be entered into.	33 34 35
[8] Section 18 (5)	36
Insert “grant,” after “gift.”	37
[9] Section 19 Powers of Council over certain property vested in Crown	38
Omit section 19 (4) (a). Insert instead:	39
(a) must not be granted for a term (including any option for the grant of a further term) exceeding 21 years except with the approval of the Minister, and	40 41 42

[10] Section 21A Definitions	1
Omit “approved” from the definition of <i>the Guidelines</i> . Insert instead “determined”.	2
[11] Section 21B Guidelines for commercial activities	3
Omit section 21B (1) and (2). Insert instead:	4
(1) The Council must by resolution determine, and must maintain, Guidelines requiring specified processes and procedures to be followed in connection with University commercial activities.	5 6 7
(2) The Council may by resolution amend or replace the Guidelines from time to time.	8 9
[12] Section 21B (5) and (6)	10
Omit the subsections.	11
[13] Section 25 Exemption from membership of body corporate	12
Omit “or of Convocation, or both”.	13
[14] Section 29 Rules	14
Omit “8D, 8E” from section 29 (1). Insert instead “8D (2) (c) (i) and (3) (a), 8E (4)”.	15
[15] Section 29 (1)	16
Omit “14 (1), 16 (1) (d) and (e), 23 and 28 (1) (b) and (k)”.	17
Insert instead “16 (1) (d) and (e), 23 and 28 (1) (k)”.	18
[16] Section 29 (1)	19
Insert “(to the extent it relates to appointments)” after “Schedule 1”.	20
[17] Section 29 (1A)–(1C)	21
Insert after section 29 (1):	22
(1A) Despite subsection (1), only the Council may be empowered to make rules for or with respect to which by-laws may be made concerning matters referred to in sections 8D (3) (b), 8E (2) (a) and 28 (1) (b) and clause 3 of Schedule 1 (to the extent it relates to elections) (<i>election rules</i>).	23 24 25 26
(1B) Election rules must be consistent with sound and democratic electoral practices, procedures and methods of voting.	27 28
(1C) The Council must ensure that any election rule it makes is made readily available to the public by whatever means the Council considers appropriate as soon as practicable after it is made.	29 30 31
[18] Schedule 2 Investment	32
Omit clause 2.	33
[19] Schedule 2, clause 2A	34
Omit the clause. Insert instead:	35
2A Funds managers	36
(1) The Council may engage a funds manager to act in relation to the management of the funds belonging to or vested in the University.	37 38

(2)	Such a funds manager may on behalf of the Council invest funds of the University in any investment in which the funds manager is authorised to invest its own funds or other funds.	1 2 3
[20]	Schedule 3 Savings and transitional provisions	4
	Omit clause 1A (1). Insert instead:	5
(1)	The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	6 7
[21]	Schedule 3, clauses 15–18	8
	Insert after clause 14:	9
15	Guidelines for commercial activities	10
	The Guidelines approved for the time being under section 21B, as in force immediately before the amendments made to that section by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , continue to have effect as if they were Guidelines determined by the Council under that section as amended.	11 12 13 14 15
16	Existing investments	16
	An amendment made to this Act by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> does not affect the appointment of a funds manager or the validity of any investment made by or on behalf of the University before the commencement of the amendment.	17 18 19 20
17	Convocation	21
	The repeal of section 4 (b) by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> does not affect the continuity or legal status of the University.	22 23 24
18	Previously acquired land	25
	Section 18 (2)–(3), as inserted by the <i>Universities Legislation Amendment (Regulatory Reforms) Act 2014</i> , extend to land acquired from the State before the insertion of those subsections.	26 27 28
1.11	University of Wollongong By-law 2005	29
	Part 11 Convocation	30
	Omit the Part.	31