

**UNIVERSITY OF TECHNOLOGY, SYDNEY
(MISCELLANEOUS PROVISIONS) BILL 1987***

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the University of Technology, Sydney Bill 1987.

The objects of this Bill are—

- (a) to amend certain Acts;
- (b) to dissolve the New South Wales Institute of Technology; and
- (c) to make savings and transitional provisions,

as a consequence of the enactment of the proposed University of Technology, Sydney Act 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on 1 January 1988, the day on which the proposed University of Technology, Sydney Act 1987 commences.

Clause 3 gives effect to Schedule 1, the Schedule of consequential amendments to certain Acts.

Clause 4 gives effect to Schedule 2, the Schedule of savings and transitional provisions.

Schedule 1 amends various Acts as a consequence of the enactment of the University of Technology, Sydney Act 1987.

Schedule 2 enacts savings and transitional provisions as a consequence of the enactment of the University of Technology, Sydney Act 1987. The Schedule contains the following clauses:

Clause 1 defines expressions used in the Schedule.

Clause 2 states that the New South Wales Institute of Technology is dissolved and vests the property of the Institute in the new University of Technology, Sydney.

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

University of Technology, Sydney (Miscellaneous Provisions) 1987

Clause 3 sets up the first Council of the University. The first Council will consist of the Vice-Chancellor of the University and members appointed by the Minister and shall continue only until necessary measures have been taken to constitute a Council under the proposed University of Technology, Sydney Act 1987.

Clause 4 provides that the first Vice-Chancellor of the University shall be the person who is currently President of the Institute. The clause also provides for the first Chancellor and Deputy Chancellor to vacate office when the Chancellor and Deputy Chancellor elected by the permanent Council of the University assume office.

Clause 5 provides for certain staff of the Institute to become staff of the University and maintains their existing conditions of employment.

Clause 6 continues the University as the same legal entity as the Institute for superannuation and long service leave purposes and the like and for the purposes of the continuation of legal proceedings etc. by or against the University.

Clause 7 converts references to the Institute in instruments to references to the University.

Clause 8 allows the University to continue to maintain branches, departments or colleges maintained by the Institute.

Clause 9 continues in force some of the by-laws made by the Council of the Institute.

Clause 10 saves delegations made by the Council of the Institute.

Clause 11 provides for students of the Institute to become students of the University.

Clause 12 contains interim provisions relating to the staff of the University. Until the clause is repealed by proclamation of the Governor-in-Council or until 1 January 1989 (whichever is the earlier), the general staff establishment of the University is to be determined by the Public Service Board. The role of the Public Service Board in acting for the Institute in certain proceedings before industrial tribunals is retained in relation to the University.

Clause 13 contains interim provisions relating to academic matters. Until the clause is repealed by proclamation of the Governor-in-Council, the Council of the University may only exercise its powers in relation to providing courses and awarding degrees with the approval of the Minister on the advice of the New South Wales Higher Education Board.

Clause 14 allows the Governor-in-Council by proclamation to repeal clauses 12 and 13. Clause 12, if still in force, is automatically repealed on 1 January 1989.

Clause 15 enables regulations of a savings or transitional nature to be made.
