

CHARLES STURT UNIVERSITY BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to establish a new university to be called the Charles Sturt University. The University is to consist of (initially) the staff and student bodies and educational facilities currently comprised in the Orange Agricultural College, the Mitchell College of Advanced Education and the Riverina-Murray Institute of Higher Education. The Bill contemplates further expansion of the University in the future.

The University is to be managed by a Board of Governors that includes parliamentary, official, appointed and elected members. Of the appointed members, four are to be nominees of the University of New South Wales with which it is proposed that the University will collaborate in the development of its academic programs.

PART 1—PRELIMINARY

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on a proclaimed day or days.

Clause 3 defines certain expressions 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 describes the foundation members of the University network and provides for the establishment of new network members.

Clause 7 specifies the functions of the University.

Clause 8 empowers the University, for the purpose of exercising its functions, to provide such facilities for students as it considers desirable.

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PART 3—THE BOARD OF GOVERNORS, AUTHORITIES AND OFFICERS OF THE UNIVERSITY

Clause 9 establishes a Board of Governors of the University. The Board consists 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 creates the office of chief executive officer in respect of each member of the University network.

Clause 14 designates His Excellency the Governor as the Visitor of the University.

Clause 15 describes the University Convocation.

Clause 16 establishes an Academic Senate of the University.

Clause 17 requires the Board to set up advisory councils for network members of the University.

PART 4—FUNCTIONS OF BOARD**Division 1—General**

Clause 18 provides that the Board is the governing authority of the University and specifies its principal functions.

Clause 19 invests the Board with miscellaneous powers relating to academic, staffing and other matters.

Clause 20 permits the Board to delegate its functions.

Division 2—Property

Clause 21 specifies the powers of the Board relating to property and places certain restrictions on the Board dealing with land of the University.

Clause 22 gives the Board, subject to certain restrictions, the control and management of land of the Crown on which the University is conducted.

Clause 23 provides for the resumption or appropriation of land for the benefit of the University.

Clause 24 provides for the vesting in the University of land of the Crown on which its activities are conducted.

PART 5—GENERAL

Clause 25 enables the Treasurer, with the approval of the Governor-in-Council, to advance money to the University for its temporary accommodation.

Clause 26 provides for the financial year of the University.

Clause 27 forbids religious or political discrimination in the admission of students, the conferring of degrees and awards and the appointment of staff.

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Clause 28 provides for the exemption of persons, on grounds of conscience, from membership of the body corporate of the University or from Convocation.

Clause 29 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 30 provides for the use and custody of the seal of the University.

Clause 31 enables the Board, 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 32 enables the Board, 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 33 provides for the recovery of charges, fees and other money due to the University.

Clause 34 is a formal provision that gives effect to the Schedule of consequential amendments to other Acts.

Clause 35 is a formal provision that gives effect to the Schedule of savings and transitional provisions.

SCHEDULE 1—PROVISIONS RELATING TO MEMBERS AND PROCEDURE OF THE BOARD

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

SCHEDULE 2—POWERS OF INVESTMENT

Schedule 2 contains provisions relating to the powers of investment of the Board.

SCHEDULE 3—AMENDMENTS

Schedule 3 contains miscellaneous amendments to the Colleges of Advanced Education Act 1975 and the Public Authorities (Financial Arrangements) Act 1987 consequent on the proposed abolition of the Mitchell College of Advanced Education and the Riverina-Murray Institute of Higher Education.

SCHEDULE 4—SAVINGS AND TRANSITIONAL PROVISIONS

Schedule 4 contains provisions—

- (a) empowering the Governor-in-Council to make regulations of a savings or transitional nature consequent on the enactment of the proposed Act (Part 1);
- (b) defining certain expressions used in Part 2 of the proposed Schedule (Division 1 of Part 2);
- (c) providing for the abolition of the Mitchell College of Advanced Education (Division 2 of Part 2);
- (d) providing for the abolition of the Orange Agricultural College (Division 3 of Part 2);
- (e) providing for the abolition of the Riverina-Murray Institute of Higher Education (Division 4 of Part 2);

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- (f) providing for the transfer of staff consequent on the abolition of the institutions referred to in paragraphs (c), (d) and (e) (Division 5 of Part 2);
 - (g) dealing with other matters consequent on the abolition of those institutions (Division 6 of Part 2); and
 - (h) providing for the constitution of an interim Board and for the appointment of the first officers and other authorities of the proposed University (Division 7 of Part 2).
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