

Canberra College of Advanced Education

No. 114 of 1970

An Act to amend the *Canberra College of Advanced Education Act 1967*.

[Assented to 11 November 1970]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Canberra College of Advanced Education Act 1970*. Short title and citation.

(2.) The *Canberra College of Advanced Education Act 1967** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Canberra College of Advanced Education Act 1967–1970*.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. Section 3 of the Principal Act is amended by omitting the definition of “*ex officio* member” and inserting in its stead the following definition:— Definitions.

“ ‘*ex officio* member’ means a member being the Principal of the College, the Vice-Chancellor or the Deputy Vice-Chancellor; ”.

4. Section 5 of the Principal Act is amended by omitting paragraph (c) and inserting in its stead the following paragraph:— Functions of College.

“ (c) to award such degrees, diplomas and certificates in relation to the passing of examinations or otherwise in relation to the education and training provided by the College as are provided for by the Statutes; and ”.

5. Section 8 of the Principal Act is repealed and the following section inserted in its stead:—

“ 8.—(1.) The Council shall consist of— Constitution of Council.

(a) the Principal of the College;

(b) the Vice-Chancellor and (subject to the restriction on his right to attend meetings contained in sub-section (5.) of this section) the Deputy Vice-Chancellor;

(c) three members of the teaching staff of the College elected by that teaching staff;

* Act No. 104, 1967.

- (d) two students of the College elected by the students of the College;
- (e) persons not exceeding eight in number appointed by the Governor-General;
- (f) persons not exceeding four in number appointed by the Council; and
- (g) if a person other than a person who is already a member of the Council is appointed, in accordance with section 13 of this Act, to be the Chairman of the Council, the person so appointed.

“(2.) Of the three members of the teaching staff of the College referred to in paragraph (c) of the last preceding sub-section—

- (a) one shall be elected at an election at which only members of the senior teaching staff of the College are eligible to be candidates; and
- (b) the others shall be elected at an election or elections at which, subject to the Statutes, any member of the teaching staff may be a candidate.

“(3.) The Statutes relating to the election of the two students referred to in paragraph (d) of sub-section (1.) of this section may make such provision with respect to the students who may be candidates at an election or with respect to the students who may vote at an election, or with respect to both those matters, as the Council thinks desirable with a view to ensuring the separate representation on the Council of full-time students of the College or of part-time students of the College.

“(4.) If a person other than the Principal of the College is for the time being performing the duties of the office of Principal of the College, that person may attend meetings of the Council and, for the purposes of those meetings, shall be deemed to be a member of the Council.

“(5.) The Deputy Vice-Chancellor is not entitled to attend a meeting of the Council that is attended by the Vice-Chancellor or a person entitled to attend that meeting by virtue of the next succeeding sub-section.

“(6.) If a person other than the Vice-Chancellor or the Deputy Vice-Chancellor is for the time being performing the duties of the office of Vice-Chancellor, that person may, in the absence of the Vice-Chancellor, attend meetings of the Council and, for the purposes of those meetings, shall be deemed to be a member of the Council.

“(7.) If a person other than the Deputy Vice-Chancellor is for the time being performing the duties of the office of Deputy Vice-Chancellor, that person may attend meetings of the Council, not being meetings attended by the Vice-Chancellor, the Deputy Vice-Chancellor or a person entitled to attend the meeting by virtue of the last preceding sub-section, and, for the purposes of those meetings, shall be deemed to be a member of the Council.

“ (8.) The term of office of a member other than an *ex officio* member shall be as provided by this Act, but, subject to sub-section (6.) of section 10A of this Act, such a member is eligible for re-appointment or re-election.”.

6. Section 9 of the Principal Act is repealed.

Appointment of Deputy Vice-Chancellor in place of Vice-Chancellor.

7. Section 10 of the Principal Act is amended—

Members elected by teaching staff.

- (a) by omitting from sub-section (2.) the word “ two ” (first occurring) and inserting in its stead the word “ three ”; and
- (b) by omitting from that sub-section the word “ one ” (second occurring) and inserting in its stead the word “ two ”.

8. After section 10 of the Principal Act the following section is inserted:—

“ 10A.—(1.) In this section, ‘ student member ’ means a member of the Council referred to in paragraph (d) of sub-section (1.) of section 8 of this Act.

Members elected by students.

“ (2.) Except as otherwise provided by this section, a student member shall hold office, subject to this Act, for a period of one year and the term of office of a student member shall commence—

- (a) if it is the first term of office of one of the two student members first elected—on a date to be determined by the Minister; and
- (b) in any other case—on the expiration of the term of office of the member whose place the student member fills.

“ (3.) If a student member has ceased to hold office before the expiration of his term of office, a student member shall, if the Minister so directs, be elected to hold office from the date of his election until the expiration of that term, and the election shall be held in accordance with any Statute that was applicable to the election of the member who has ceased to hold office.

“ (4.) Except as otherwise provided by the Statutes, a student member ceases to be a member if the Council determines that he has ceased to be a student of the College.

“ (5.) The Statutes may provide that—

- (a) a student member elected at an election at which only full-time students of the College were eligible to be candidates ceases to be a member if he ceases to be a full-time student of the College; or
- (b) a student member elected at an election at which only part-time students of the College were eligible to be candidates ceases to be a member if he ceases to be a part-time student of the College.

“ (6.) Where a person has been elected as a student member on two occasions, he is not eligible to be again elected as a student member.”.

Members
appointed by
the Governor-
General.

9. Section 11 of the Principal Act is amended by omitting the letter “(d)” and inserting in its stead the letter “(e)”.

Members
appointed
by Council.

10. Section 12 of the Principal Act is amended by omitting the letter “(e)” and inserting in its stead the letter “(f)”.

Chairman and
Deputy
Chairman of
the Council.

11. Section 13 of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “or the Deputy Vice-Chancellor”.

Disquali-
fications.

12. Section 14 of the Principal Act is amended by omitting from paragraph (a) the word “twenty-one” and inserting in its stead the word “eighteen”.

Meetings of
Council.

13. Section 16 of the Principal Act is amended by inserting in sub-section (6.), after the word “Council” (second occurring), the words “; the Vice-Chancellor and the Deputy Vice-Chancellor being counted as one member,”.

Interim
Council.

14. Section 18 of the Principal Act is repealed.

Terms and
conditions of
service of
staff.

15. Section 20 of the Principal Act is amended by omitting from sub-section (2.) the words “of the service”.

Statutes.

16. Section 21 of the Principal Act is amended—

(a) by omitting from sub-paragraph (iii) of paragraph (c) of sub-section (1.) the word “two” and inserting in its stead the word “three”;

(b) by inserting in sub-section (1.), after paragraph (c), the following paragraph:—

“(ca) the election of members of the Council by the students of the College, including—

(i) the persons who are to be regarded as students of the College, the persons who are to be regarded as full-time students of the College, and the persons who are to be regarded as part-time students of the College, for the purposes of such an election; and

(ii) the determination of questions arising in relation to the conduct or result of such an election.”; and

(c) by omitting paragraph (e) of sub-section (1.) and inserting in its stead the following paragraphs:—

“(e) the courses of study and instruction of the College;

“(ea) the degrees, diplomas and certificates that may be awarded by the College and the requirements for their award;”.

No religious
test.

17. Section 23 of the Principal Act is amended by inserting in paragraph (b), before the word “diploma”, the word “degree”.

18. Section 30 of the Principal Act is amended by omitting sub-section (4.). Reports.

19. A person who, immediately before the date of commencement of this Act, held office as a member of the Council of the Canberra College of Advanced Education appointed by the Governor-General or by that Council shall continue, from and including that date, but subject to the *Canberra College of Advanced Education Act 1967-1970*, to hold office as such a member for the balance of the term for which he was appointed. Saving.
