

# Australian Universities Commission

No. 117 of 1971

An Act to amend the *Australian Universities Commission Act 1959–1968*.

[Assented to 9 December 1971]

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

Short title and citation.

1.—(1.) This Act may be cited as the *Australian Universities Commission Act 1971*.

(2.) The *Australian Universities Commission Act 1959–1968\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Australian Universities Commission Act 1959–1971*.

Commencement.

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

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\* Act No. 30, 1959, as amended by No. 28, 1962; No. 63, 1965; No. 35, 1967; and No. 129, 1968.

3. Section 3 of the Principal Act is amended—

- (a) by omitting from the definition of “ the Chairman ” the words “, and includes an Acting Chairman of the Commission ”; and  
 (b) by inserting after the definition of “ the Commission ” the following definition:—

“ ‘ the Deputy Chairman ’ means the Deputy Chairman of the Commission;”.

Definitions.

4. Section 4 of the Principal Act is amended by adding at the end thereof the following sub-section:—

“ (2.) The reference in the last preceding sub-section to higher education shall be read as not including a reference to education that is advanced education for the purposes of the *Australian Commission on Advanced Education Act 1971*.”.

Certain institutions to be treated as universities.

5. Section 5 of the Principal Act is amended—

- (a) by inserting in sub-section (2.), after the word “ Chairman ”, the words “, a Deputy Chairman ”; and  
 (b) by inserting in sub-section (4.), after the words “ seven years ”, the words “, the Deputy Chairman shall be appointed for a term not exceeding seven years ”.

Establishment of Commission.

6. Section 6 of the Principal Act is amended by omitting sub-section (3.) and inserting in its stead the following sub-sections:—

“ (3.) In the event of the inability of the Deputy Chairman (whether on account of illness or otherwise) to attend meetings of the Commission, the Minister may appoint a member, other than the Chairman, to be the Acting Deputy Chairman of the Commission during that inability.

“ (4.) An appointment under this section may be terminated at any time by the Minister.”.

Acting members.

7. Section 7 of the Principal Act is repealed and the following section inserted in its stead:—

“ 7.—(1.) The Chairman shall be paid remuneration at the rate of Twenty thousand eight hundred dollars a year, an annual allowance at the rate of One thousand dollars a year and such other allowances as are prescribed.

“ (2.) The Deputy Chairman shall be paid remuneration at the rate of Sixteen thousand five hundred and twenty-eight dollars a year and such allowances as are prescribed.

“ (3.) A member other than the Chairman or the Deputy Chairman shall be paid remuneration at the rate of Two thousand six hundred dollars a year and such allowances as are prescribed.

“ (4.) An Acting Chairman of the Commission (not being a full-time Acting Chairman), or an Acting Deputy Chairman of the Commission

Remuneration.

(not being a full-time Acting Deputy Chairman), shall, in addition to the remuneration and allowances payable to him under the last preceding sub-section, be paid such other allowances, if any, as are prescribed.

“(5.) In this section, unless the contrary intention appears—

‘full-time Acting Chairman’ means an Acting Chairman of the Commission who is the Deputy Chairman of the Commission or any other Acting Chairman who, under a term of his appointment as Acting Chairman, is required to give the whole of his time to the duties of his office as Acting Chairman;

‘full-time Acting Deputy Chairman’ means an Acting Deputy Chairman of the Commission who, under a term of his appointment as Acting Deputy Chairman, is required to give the whole of his time to the duties of his office as Acting Deputy Chairman;

‘the Chairman’ includes a full-time Acting Chairman;

‘the Deputy Chairman’ includes a full-time Acting Deputy Chairman.”.

**Vacation of office.**

8. Section 11 of the Principal Act is amended by inserting in paragraph (a), after the word “Chairman”, the words “or the Deputy Chairman”.

**Meetings.**

9. Section 12 of the Principal Act is amended—

(a) by inserting after sub-section (3.) the following sub-section:—

“(3A.) In the event of the absence of the Chairman from a meeting of the Commission, being a meeting at which the Deputy Chairman is present, the Deputy Chairman shall preside at the meeting.”;

(b) by omitting from sub-section (4.) the words “the Chairman” and inserting in their stead the words “both the Chairman and the Deputy Chairman”; and

(c) by adding at the end thereof the following sub-section:—

“(8.) In this section—

‘the Chairman’ includes an Acting Chairman of the Commission;

‘the Deputy Chairman’ includes an Acting Deputy Chairman of the Commission.”.

**Performance of functions of Commission.**

10. Section 14 of the Principal Act is amended by inserting in sub-section (2.), after the word “universities”, the words “, with the Australian Commission on Advanced Education”.

**Committees.**

11. Section 17 of the Principal Act is amended by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) A member of a Committee shall be paid such fees and allowances as are prescribed, and shall hold office on such other terms and conditions as the Minister determines.”.

12. Section 18 of the Principal Act is amended by inserting after the word "Chairman" (wherever occurring) the words "or Deputy Chairman".

Officer of  
Commonwealth  
becoming  
Chairman or  
Deputy  
Chairman.

13. Section 19 of the Principal Act is amended by adding at the end thereof the following sub-section:—

Staff.

"(6.) In this section, 'the Chairman' includes an Acting Chairman of the Commission."

14. After section 19 of the Principal Act the following section is inserted:—

"20. The Governor-General may make regulations, not inconsistent with this Act, prescribing fees and allowances, other than annual allowances, for the purposes of section seven or sub-section (3.) of section seventeen of this Act."

Regulations.