

Commission on Advanced Education Act 1973

No. 177 of 1973

AN ACT

Relating to the Commission on Advanced Education.

[Assented to 12 December 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

1. (1) This Act may be cited as the *Commission on Advanced Education Act 1973*. Short title
and citation.

(2) The *Australian Commission on Advanced Education Act 1971** is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Commission on Advanced Education Act 1971-1973*.

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

3. Section 3 of the Principal Act is amended—

Definitions.

(a) by inserting after the definition of “advanced education” the following definition:—

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

* Act No. 116, 1971.

- (b) by inserting after the definition of "college of advanced education" the following definitions:—

" 'Commission' means the Commission on Advanced Education;

'Deputy Chairman' means the Deputy Chairman of the Commission;"; and

- (c) by omitting the definitions of "the Chairman" and "the Commission".

Establishment of Commission.

4. Section 5 of the Principal Act is amended—

- (a) by omitting sub-section (1) and substituting the following sub-section:—

"(1) The Commission established by the *Australian Commission on Advanced Education Act 1971* by the name of the Australian Commission on Advanced Education is continued in existence by the name of the Commission on Advanced Education.";

- (b) by inserting in sub-section (2), after the word "Chairman", the words ", a Deputy Chairman"; and

- (c) 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".

Acting members.

5. Section 6 of the Principal Act is amended by omitting sub-section (3) and substituting 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."

6. Section 7 of the Principal Act is repealed and the following section substituted:—

Remuneration.

"7. (1) The Chairman shall be paid remuneration at such rate, and an annual allowance at such rate, as are fixed by the Parliament in relation to the Chairman of the Commission, and such other allowances as are prescribed.

"(2) The Deputy Chairman shall be paid remuneration at such rate as is fixed by the Parliament in relation to the Deputy Chairman of the Commission, and such allowances, other than an annual allowance, as are prescribed, but, until 1 January 1975, the rate of that remuneration shall be as prescribed.

“(3) A member, other than the Chairman or the Deputy Chairman, shall be paid remuneration at the rate of \$2,600 a year, or at such other rate as is fixed by the Parliament, and such allowances, other than an annual allowance, 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 (not being a full-time acting Deputy Chairman), shall, in addition to the remuneration and allowances payable to him under sub-section (3), be paid such other allowances, if any, as are prescribed.

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

‘Chairman’ includes a full-time acting Chairman;

‘Deputy Chairman’ includes a full-time acting Deputy Chairman;

‘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.”.

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

8. Section 12 of the Principal Act is amended—

Meetings.

(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 substituting the words “both the Chairman and the Deputy Chairman”;

(c) by omitting sub-section (5) and substituting the following sub-section:—

“(5) At a meeting of the Commission, a quorum is constituted by not less than five members.”; and

(d) by omitting sub-section (8) and substituting the following sub-section:—

“(8) In this section—

‘Chairman’ includes an acting Chairman of the Commission;

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

Officer of
Public
Service
becoming
Chairman or
Deputy
Chairman.

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

Regulations.

10. Section 20 of the Principal Act is amended by inserting before the words “fees and allowances” the word “remuneration,”.