

1980-81

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 28 May 1981

(Minister for Education)

A BILL

FOR

An Act to amend the *Australian National University Act 1946*

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

Short title, &c.

5 1. (1) This Act may be cited as the *Australian National University Amendment Act 1981*.

(2) The *Australian National University Act 1946*¹ is in this Act referred to as the Principal Act.

Commencement

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

Fees for the provision of amenities and services to students

3. Section 29A of the Principal Act is amended—

(a) by inserting before the definition of “approved auditor” the following definition:

“‘administrative costs’, in relation to an organization of students, includes any allowance paid to the holder of an office in that organization;”;

(b) by adding at the end of sub-section (1) the following definition:

“‘prescribed moneys’, in relation to an organization of students, means moneys made available to that organization by the Council out of moneys paid to the University by way of fees.”;

(c) by inserting after sub-section (1) the following sub-sections:

“(1A) A reference in this section to moneys derived by an organization of students from prescribed moneys shall be construed as a reference to any moneys received by or on behalf of that organization as a direct or indirect result of the organization having applied prescribed moneys in any manner (whether a manner permitted by this section or not).

“(1B) Where moneys are received by or on behalf of an organization of students as a direct or indirect result of the organization having applied in any manner (whether a manner permitted by this section or not) moneys that consist of both prescribed moneys and other moneys, so much of the moneys so received as bears to those moneys the same proportion as the amount of prescribed moneys that are included in the moneys so applied bears to the total amount of the moneys so applied shall be deemed, for the purposes of sub-section (1A), to have been received as a direct or indirect result of that organization having applied prescribed moneys in that manner.”;

(d) by omitting sub-section (3) and substituting the following sub-sections:

“(3) Where an organization of students receives prescribed moneys—

(a) it is the duty of the organization—

(i) to apply those prescribed moneys and any moneys derived by that organization from those prescribed moneys; and

(ii) to take all reasonable steps to ensure that any moneys derived by that organization from those prescribed moneys and received by any person on behalf of the organization are applied,

only in respect of the provision, for students liable to pay the fees out of which those prescribed moneys were made available, whether members of the organization or not, of amenities or services that are not of an academic nature and are—

(iii) declared by the Statutes to be, in respect of that organization, amenities or services to which this section applies; or

(iv) included in a class of amenities or services declared by the Statutes to be, in respect of that organization, a class of amenities or services to which this section applies; and

5 (b) it is the duty of the Council to take all reasonable steps to ensure that those prescribed moneys and any moneys derived by that organization from those prescribed moneys are applied only as mentioned in paragraph (a).

10 “(3A) Moneys applied in payment of the administrative costs of an organization of students shall, for the purposes of sub-section (3), be deemed not to have been applied in respect of the provision by that organization of amenities and services as mentioned in that sub-section except to the extent that the moneys have been applied in payment of administrative costs of that organization that are directly attributable to the provision of those amenities and services.”;

15 (e) by omitting from paragraph (7) (b) “and”; and

(f) by adding at the end of sub-section (7) the following word and paragraph:

20 “; and (d) the manner in which any organization of students expended during that year any moneys derived by that organization during that year or a preceding year from prescribed moneys.”.

NOTE

1. No. 22, 1946, as amended. For previous amendments, see Nos. 21 and 56, 1947; No.3, 1960; No. 9, 1963; No. 108, 1965; No. 93, 1966; No. 65, 1967; No. 1, 1971; No. 96, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 94, 1975; No. 36, 1978; and No. 190, 1979.

