



ANNO OCTAVO

## ELIZABETHAE II REGINAE

A.D. 1959

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## No. 46 of 1959

An Act to amend the School of Mines and Industries Act, 1892-1934.

[Assented to 17th December, 1959.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

## Short titles.

1. (1) This Act may be cited as the "School of Mines and Industries Act Amendment Act, 1959".

(2) The School of Mines and Industries Act, 1892-1934, as amended by this Act, may be cited as the "Institute of Technology Act, 1892-1959".

(3) The School of Mines and Industries Act, 1892-1934, is hereinafter referred to as "the principal Act".

## Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

## Commencement.

3. This Act shall come into operation on a day to be fixed by proclamation.

## Amendment of long title of principal Act.

4. The long title of the principal Act is amended by inserting after the passage "South Australia," therein the passage "to provide for the change of its name to the 'South Australian Institute of Technology', and for the alteration of the constitution thereof,"

5. The preamble of the principal Act is amended by inserting after the words "Industries of South Australia" therein the passage " , and to provide for the change of its name to the 'South Australian Institute of Technology', and for the alteration of the constitution thereof".

Amendment of  
preamble of  
principal Act.

6. Section 3 of the principal Act is amended—

Amendment of  
s. 3 of  
principal Act—  
Definitions.

(a) by inserting before the interpretation "the council" therein the following interpretation:—

"appointed day" means the day on which the School of Mines and Industries Act Amendment Act, 1959, comes into operation ;

(b) by adding after the word "Australia" being the last word in the interpretation "the council" the passage " ; and on and after the appointed day shall include the council as reconstituted under the name of the Council of the South Australian Institute of Technology. ";

(c) by adding after the interpretation "the Minister" therein the following interpretation:—

"the reconstituted council" shall mean the council as reconstituted on the appointed day as the Council of the South Australian Institute of Technology.

7. Section 4 of the principal Act is amended—

Amendment of  
s. 4 of  
principal Act—  
Incorporation  
of council.

(a) by striking out the words "For the purposes of this Act" and inserting in lieu thereof the passage "Subject to subsection (2) of this section";

(b) by adding at the end thereof the following new subsection (the preceding part of the section being designated as subsection (1) thereof):—

(2) On and after the appointed day the council shall be re-constituted as provided in subsection (2) of section 6 of this Act and as so re-constituted shall be called the Council of the South Australian Institute of Technology of whom six shall form a quorum ; and the institution known prior to that day as the South Australian School of Mines and Industries shall for all purposes be called and known as the South Australian Institute of Technology.

8. Section 5 of the principal Act is repealed.

Repeal of  
s. 5 of  
principal Act.

Amendment of  
s. 6 of  
principal Act—  
Constitution of  
the Council.

9. Section 6 of the principal Act is amended—

(a) by inserting before the words “consist of twelve members” therein the words “until the appointed day”;

(b) by striking out the words “Such members” therein and inserting in lieu thereof the passage “Subject to subsection (2) of this section such members”;

(c) by adding at the end thereof the following new subsections (the preceding part of the section being designated as subsection (1) thereof):—

(2) (a) On the appointed day—

(i.) the council shall be re-constituted and shall thereupon and thereafter consist of fifteen members who shall be appointed by the Governor and hold office in accordance with this subsection; and

(ii.) the persons who immediately prior to that day were holding appointments as members of the council shall vacate those appointments but shall be eligible for re-appointment as members of the re-constituted council.

(b) Subject to paragraph (c) of this subsection, the members of the re-constituted council shall be appointed and hold office for such period, not exceeding three years in each case, as the Governor specifies when making each appointment, and shall be eligible for re-appointment.

(c) Of the fifteen persons who shall be first appointed as members of the re-constituted council—

five shall be appointed and hold office for a period of one year from the appointed day,

five shall be appointed and hold office for a period of two years from that day, and

five shall be appointed and hold office for a period of three years from that day.

(d) Where a casual vacancy occurs in the re-constituted council through the death or resignation of any member, the Governor may appoint some other person to fill that vacancy and such person shall hold office only for the unexpired portion of the term for which the member, through whose death or resignation the vacancy occurred, was appointed.

(3) (a) On and after the appointed day—

- (i.) any lands or buildings prior to that day placed under the care, control and management of the council under section 8 of this Act shall be deemed to have been placed under the care, control and management of the council as re-constituted under this section ; and
- (ii.) any lands, tenements and hereditaments prior to that day purchased or held by the council under that section shall be deemed to have been so purchased or held by the council as so re-constituted ;
- (iii.) any property whatsoever owned or in any manner held by the council prior to that day shall be deemed to be so owned or held by the council as so re-constituted ;
- (iv.) all contracts entered into or rights enjoyed prior to that day by the council shall be deemed to have been entered into or enjoyed by the council as so re-constituted ;
- (v.) all officers and employees whose services had not terminated prior to that day and who shall then be holding office or employed by or on behalf of the council shall be deemed to have been appointed and employed by the council as so re-constituted.

(b) On and after the appointed day—

- (i.) all gifts and bequests made to or on behalf of or for the benefit or purposes of the School of Mines and Industries of South Australia or the council thereof, whether so made before or after that day, shall be deemed to be gifts and bequests to or on behalf of or for the benefit or purposes of the South Australian Institute of Technology or the council as so re-constituted ;

(ii.) any reference in any other Act or in any rule or regulation to the School of Mines and Industries of South Australia or to the council shall be construed as a reference to the South Australian Institute of Technology or the council as so re-constituted.

Amendment of s. 5 of principal Act—  
*Gazette* to be evidence of appointments, etc.

**10.** Section 10 of the principal Act is amended by inserting after the word “appointment” first occurring therein the words “to the council”.

Amendment of s. 11 of principal Act—  
Power to make rules, etc.

**11.** Section 11 of the principal Act is amended—

- (a) by striking out the words “School of Mines and Industries of South Australia” in paragraph II thereof and inserting in lieu thereof the words “South Australian Institute of Technology”;
- (b) by inserting after the word “schools” in paragraph III thereof the words “and institutions”;
- (c) by striking out the words “School of Mines and Industries of South Australia” in paragraph V thereof and inserting in lieu thereof the words “South Australian Institute of Technology”;
- (d) by striking out sub-paragraphs (a) and (b) of paragraph VI thereof;
- (e) by striking out the words “School of Mines and Industries of South Australia” in sub-paragraph (c) of paragraph VI thereof and inserting in lieu thereof the words “South Australian Institute of Technology”;
- (f) by striking out paragraph VII thereof;
- (g) by inserting after the words “first council” in paragraph VIII thereof the words “as constituted at the time of the coming into operation of this Act”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.