



ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

No. 9 of 1950.

An Act to amend the University of Adelaide Act,
1935-1946.

[Assented to 12th October, 1950.]

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

1. (1) This Act may be cited as the "University of Adelaide Act Amendment Act, 1950". Short titles.

(2) The University of Adelaide Act, 1935-1946, as amended by this Act, may be cited as the "University of Adelaide Act, 1935-1950".

(3) The University of Adelaide Act, 1935-1946, is hereinafter called the "principal Act".

2. Section 3 of the principal Act is amended by adding at the end thereof the following additional definition :—

Amendment of
principal Act,
s. 3—
Interpretation.

"University grounds" means—

- (a) the lands in the City of Adelaide and in the municipality of Mitcham which are used by the University for purposes of education or scientific research or both ;
- (b) the Waite Park in the municipality of Mitcham ; and includes
- (c) all roads, ways, tracks, paths, open spaces and buildings on, and appurtenances to the said lands and park.

Amendment of
ibid—

3. The principal Act is amended by inserting therein after section 18 thereof the following sections :—

Power to
make by-laws.

18a. (1) The council may make by-laws for all or any of the following purposes :—

- (a) to prohibit persons from trespassing on the University grounds ;
- (b) to prevent damage to the University grounds and any fixtures, chattels, trees, shrubs, bushes, flowers, gardens and lawns on or in those grounds ;
- (c) to regulate speed at which vehicles may be driven on the University grounds ;
- (d) to prohibit the dangerous or careless driving of vehicles on the University grounds ;
- (e) to prohibit the driving on the University grounds of vehicles the weight of which when laden exceeds the amount prescribed in the by-laws ;
- (f) to prescribe the route to be followed by traffic on roads, ways, or tracks within the University grounds and the specific gates which may be used for the entrance and exit of vehicles and pedestrians and to require the observance of one-way traffic rules on specified roads, ways, or tracks ;
- (g) to regulate the parking, ranking, placing and arranging of vehicles on University grounds and to empower authorized persons to remove any vehicle from the University grounds without assigning any reason ;
- (h) generally to regulate traffic of all kinds on the University grounds ;
- (i) to prohibit disorderly conduct or indecent language by persons on the University grounds and to empower authorized persons to remove from those grounds persons guilty of disorderly conduct or indecent language thereon ;
- (j) to prohibit, restrict or regulate the consumption of alcoholic liquor on the University grounds and the bringing of alcoholic liquor on to those grounds, and to empower authorized persons to remove from the University grounds any intoxicated person and to search the University grounds and vehicles thereon for alcoholic liquor and to seize any liquor reasonably

suspected of having been brought on to the University grounds contrary to any by-law ;

- (k) to empower the council to confiscate any liquor brought on to the University grounds contrary to any by-law ;
- (l) to prevent persons from climbing on fences or buildings or walking over gardens or lawns on the University grounds ;
- (m) to regulate the conduct of open air and indoor meetings held on the University grounds ;
- (n) to prevent the interruption of lectures or meetings by noise or unseemly behaviour on the University grounds whether in or outside of buildings and to prevent undue noise from motor vehicles on the University grounds ;
- (o) to prescribe fines recoverable summarily not exceeding twenty pounds for any contravention of any by-law ; and
- (p) to empower the University to recover summarily compensation for any damage done to the University grounds.

(2) The council may declare in any such by-law that it shall apply to a part only of the University grounds specified therein, and it shall so apply accordingly.

(3) In this section " authorized person " means a person appointed by the council to be an authorized person for the purposes of this section.

(4) The council may appoint any person to be an authorized person for purposes of this section, and may, at will, revoke any such appointment.

18b. No by-law shall be made—

- (a) except at a meeting of the council of which at least fourteen days' prior notice in writing has been sent by post to each member of the council specifying the by-laws intended to be proposed ;
or
- (b) unless a majority of all the members of the council vote at the meeting in favour of the proposed by-law.

Mode of
making
by-laws.

Confirmation
of by-laws.

18c. (1) Every by-law—

- (a) shall be submitted to the Governor for confirmation and shall be of no force unless confirmed ;
- (b) after confirmation shall be published in the *Gazette* at the expense of the University ;
- (c) shall, subject to subsection (2) hereof, take effect from the day of that publication or from any later day fixed by the by-law ; and
- (d) shall be laid before each House of Parliament within the first fourteen sitting days of that House after the said publication.

(2) If either House of Parliament passes a resolution disallowing any by-laws of which resolution notice has been given at any time within fourteen sitting days of that House after the by-law has been laid before it the by-law shall thereupon cease to have any effect, but without affecting the validity or curing the invalidity of anything done or omitted in the meantime. This subsection shall apply although all the fourteen sitting days, or some of them do not occur in the same session of Parliament as that in which the by-law is laid before the House.

(3) When a resolution has been passed as mentioned in subsection (2) hereof notice of the resolution shall forthwith be published in the *Gazette*.

Conditions
precedent.

18d. When a by-law has been confirmed by the Governor and published in the *Gazette* all conditions precedent to the making thereof shall be conclusively deemed to have been fulfilled.

Notice of
by-laws.

18e. (1) The council shall set out the substance of all its by-laws respecting traffic on a notice board at each entrance which leads directly from a road or street to the University grounds and is ordinarily used by vehicular traffic.

(2) Failure to comply with subsection (1) of this section shall not affect the validity or operation of any by-law.

Non-
application of
s. 38 of Acts
Interpretation
Act.

18f. The provisions of section 38 of the Acts Interpretation Act, 1915, shall not apply to by-laws made under this Act.

Saving of other
provisions.

18g. No by-laws under this Act shall take away or restrict any liability, civil or criminal, arising under any provision of any other Act or at common law.

18h. In any proceedings for any contravention of any by-law the allegation in the complaint that any place was on the University grounds shall be *prima facie* evidence of the fact alleged.

Allegation in complaint to be evidence.

18i. Where a contravention of any by-law made by the Council in exercise of the powers conferred by section 18a of this Act has been committed by any student of the University, the Council, instead of charging him with such contravention in a court of summary jurisdiction, may direct that he be charged with such contravention before the Board of Discipline, and the Board of Discipline, if it finds such offence to be proved, may punish the offender in any of the ways mentioned in the Statute made by the Council prescribing the functions and powers of the Board of Discipline.

Contravention of by-laws by students.

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

J. M. NAPIER, Lieutenant-Governor.