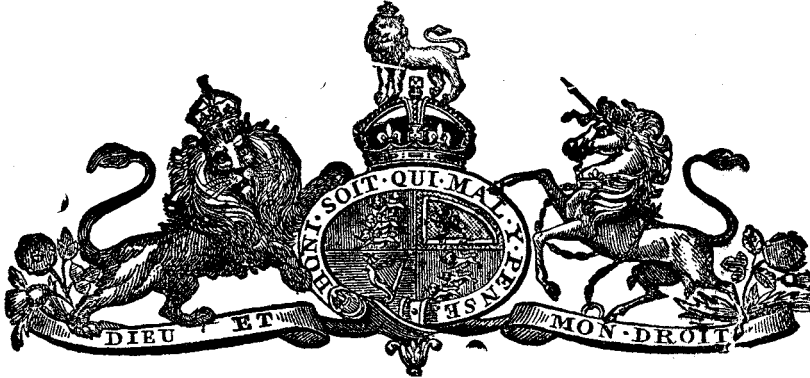


## TASMANIA.



1935.

ANNO VICESIMO SEXTO

GEORGH V. REGIS.

No. 34.

## ANALYSIS.

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|---|---|
| <p>1. Short title.<br/>2. Repeal.<br/>3. Amendment of 53 Vict. No. 41.<br/>    New section 2.<br/>    Constitution of Council.<br/>    New section 3.<br/>    Vacation of office.</p> | <p>New section 4.<br/>    Quorum of the Council and<br/>    Senate.<br/>Section 5.<br/>Section 9.<br/>Section 15.<br/>4. Transitory provisions.</p> |
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AN ACT to amend the *Tasmanian University Act 1889.* [18 October, 1935.]

A.D.  
1935.

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1** This Act may be cited as the *Tasmanian University Act 1935.*

Short title.

**2**—(1) The enactments enumerated in the schedule are hereby repealed to the extent indicated therein.

Repeal.

(2) The repeal by this Act of the enactments set forth in the schedule shall not affect the operation of the amendments inserted or effected in the Principal Act by such repealed enactments, and the Principal Act shall continue to be read and construed as altered by such repealed enactments as if the same had not been repealed, subject, however, to any amendments or alterations therein made by any subsequent enactments.

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*Tasmanian University.*


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Amend-  
ment of 53  
Vict. No.  
41.

New  
section 2.

Constitu-  
tion of  
Council.

**3** The Principal Act is hereby amended—

I. As to section one thereof by deleting the words—

(a) “politic and” (twice occurring):

(b) “Provided always that” and substituting “(2)”:  
and

(c) “Provided that” to “only”—

and by inserting “(1)” (at the beginning of the section):

II. By substituting for repealed sections two, three, and four thereof the following new sections two, three and four :—

“**2**—(1) Subject to the provisions of subsection (5) hereof, the Council shall consist of nineteen members of whom—

i. The Minister for Education and the Director of Education respectively shall be members *ex officio* :

ii. Eight shall be elected by Parliament as prescribed :

iii. Six shall be elected by the Senate as prescribed ; but no full-time member of the teaching staff shall be entitled to vote or be elected at such election : and

iv. Three shall be elected as prescribed by the full time members of the teaching staff of the University, defined as prescribed.

“(2) Of the members elected by Parliament two shall retire each year in such rotation as may be prescribed and, subject to the transitory provisions prescribed, shall each hold office for four years.

“(3) Of the members elected by the Senate three shall retire every second year in such rotation as may be prescribed and, subject to the transitory provisions prescribed, shall each hold office for four years.

“(4) The members elected by the teaching staff shall each hold office for three years subject, to such provisions, if any, as may be prescribed for securing retirement by rotation.

“(5) Casual vacancies in the seats of members elected by Parliament shall be filled as prescribed by the members of the two Houses respectively in rotation and all other casual vacancies shall be filled as prescribed.

“(6) A member elected to fill a casual vacancy shall hold office for the residue of his predecessor’s term of office.

“(7) In the event of the Council filling the offices of Chancellor and Vice-Chancellor or either of them by the appointment of persons other than members of the Council, any person so appointed shall be *ex officio* a member of the Council although the number of members hereinbefore prescribed is thereby exceeded, and while any such members hold office the Council shall consist of twenty or twenty-one members, as the case may be.

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“(8) The Council, with the approval of the Governor, may appoint any person as Chancellor or Vice-Chancellor although such person is not a member of the Council.

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“3 If any member of the Council—

Vacation of New  
office. section 3.

- i. Dies;
- ii. Declines to act;
- iii. Resigns his seat;
- iv. Ceases to reside in the State: or
- v. Is absent without leave of the Council from six consecutive meetings of the Council—

his seat shall become vacant and shall be filled by appointment or election as provided by section two.

“4—(1) Nine members of the Council shall constitute a quorum thereof, and the Council may transact any business notwithstanding any vacancy therein so long as a quorum is present. Quorum of New section 4.  
the Council and Senate.

“(2) A quorum of the Senate shall be such members as may be prescribed.”:

III. As to section five thereof—

Section 5.

- (a) By deleting the words “under” to “Governor” and substituting “as prescribed” therefor: and
- (b) By deleting the words “Provided that” and substituting “(2)” therefor—

and by inserting “(1)” at the beginning of the section:

IV. As to section nine thereof by inserting—

Section 9.

- (a) “Master of Science” (after “Bachelor of Science”):
- (b) “Master of Laws” (after “Bachelor of Laws”: and
- (c) “Bachelor of Commerce, Master of Commerce, Bachelor of Engineering, Master of Engineering” (after “Medicine” last occurring):

V. As to section fifteen thereof—

Section 15.

- (a) By inserting “(1)” at the beginning:
- (b) By deleting “Times and places for” (in paragraph ii.) and inserting “of” (after “holding”) and “including public examinations” (after “examinations” in the same line):
- (c) By deleting “(when appointed)” in paragraph vii.:
- (d) By adding at the end the following new subsections (2) and (3):—

“(2) No new statute or alteration or repeal of any existing statutes shall be of any force until approved by the Senate.

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“(3) Every such statute shall be submitted under the Common Seal of the University for the approval of the Governor, and shall have no effect unless approved and countersigned by the Governor.”: and

- (e) By expunging paragraph xi. and inserting “and generally for the purposes of this Act ; and any such statute may empower the Council to make rules governing the administrative functions of the Council and for giving effect to any statute :” (after paragraph x. and in alignment with the commencement of the section) : and

## VI. By deleting the words—

- (a) “ Provided that ” to “ provided ” (at the end of section seven) and substituting therefor “ (2) The University may exercise such of its functions as may be prescribed without using its Common Seal for the purpose ” and inserting “ (1) ” (at the beginning of the section) :
- (b) “ for the time being ” in section eight :
- (c) “ their ” and substituting “ its ” in section ten :
- (d) “ so soon ” to “ purpose ” in section eleven :
- (e) “ deemed ” in section thirteen and in the preamble :
- (f) “ In the ” to “ ninety-two and ” ; “ subsequent ” ; “ Fund of the Colony ” ; “ Four ” and substituting “ ten ” ; “ in the first ” to “ Council ” ; “ and in ” to “ Education ” ; “ such ” and substituting “ the ” ; and “ Fund ” in section twenty-two :
- (g) “ allowed ” to “ Governor ” and “ the ” (last-occurring) in section twenty-four : and
- (h) “ and take effect ” and “ and after ” in section twenty-seven—

thereof and the words “ or regulations ” and “ and regulations ” wherever occurring therein ; and by inserting the figures 1889 at the end of section twenty-six.

Transitory provisions.

4 All elected members of the Council holding office at the commencement of this Act shall retire on the first day of January, one thousand nine hundred and thirty-six, and on that day the members elected and appointed as provided by this Act shall enter on their respective offices.

*Tasmanian University.***THE SCHEDULE.**

A.D. 1935.

Regnal Year and Number.	Title of Act.	Extent of Repeal.
53 Vict. No. 41 ....	<i>The Tasmanian University Act 1889</i>	Sections 2, 3, 4, 6, 14, 17 to 21, and 25
54 Vict. No. 25 ....	<i>The Tasmanian University Amendment Act 1890</i>	The whole Act
4 Geo. V. No. 9 ....	<i>The Tasmanian University Amendment Act 1913</i>	The whole Act
12 Geo. V. No. 72 ..	<i>The Tasmanian University Act 1921</i>	The whole Act
15 Geo. V. No. 5 ....	<i>The Tasmanian University Act 1924</i>	The whole Act

