

# Royal Melbourne Institute of Technology Bill

## EXPLANATORY MEMORANDUM

### PART 1—PRELIMINARY

*Clause 1* sets out the purpose of the Bill.

*Clause 2* provides for commencement of the Bill on a day or days to be proclaimed.

*Clause 3* provides definitions

### PART 2—ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY

*Clause 4* establishes a University to be known as Royal Melbourne Institute of Technology.

*Clause 5* provides for the keeping of the Common Seal.

*Clause 6* sets out the objects of the University.

*Clause 7* provides for the Council as the governing authority of the University.

*Clause 8* provides for terms of office of members of the Council.

*Clause 9* provides for the removal of certain appointed members of the Council.

*Clause 10* provides for filling of vacancies arising from other appointments.

*Clause 11* provides for filling of vacancies on retirement of members of the Council.

*Clause 12* provides for procedures to be followed in case of failure of election.

*Clause 13* provides for resignation and removal from office of a member of Council.

*Clause 14* provides for the filling of casual vacancies.

*Clause 15* provides for the chairing of meetings of the Council.

*Clause 16* provides for declarations of pecuniary interests by members of the Council.

*Clause 17* provides for procedures to be followed by the Council.

*Clause 18* provides for the constitution of and reporting by committees of the Council.

*Clause 19* provides for the Council to delegate powers, authorities, duties and functions.

*Clause 20* provides that acts or decisions of the Council are not invalid by reason of certain defects or irregularities.

*Clause 21* provides for indemnities for members of Council or a committee of Council.

*Clause 22* provides for the election of the Chancellor and Deputy Chancellor of the University.

*Clause 23* provides for the appointment of the Vice-Chancellor.

*Clause 24* provides for the appointment of persons to act as Vice-Chancellor.

*Clause 25* provides for the appointment and engagement and dismissal of staff of the University.

*Clause 26* provides for the conferring or granting of degrees or other awards.

### **PART 3—HIGHER EDUCATION DIVISION**

*Clause 27* provides for the establishment of a Higher Education Division.

*Clause 28* provides for the establishment of an Academic Board.

*Clause 29* provides for the election of a Chairperson and Deputy Chairperson of the Academic Board.

*Clause 30* provides for the powers of the Academic Board and its relationship to the Council.

### **PART 4—TECHNICAL AND FURTHER EDUCATION DIVISION**

*Clause 31* provides for the establishment of a Technical and Further Education Division.

*Clause 32* provides for the establishment of a Board of Technical Studies to oversee and provide advice on programs in Technical and Further Education.

### **PART 5—STATUTES AND REGULATIONS**

*Clause 33* provides for the power of Council to make Statutes.

*Clause 34* provides for reports to be made to the Council on Statutes and Regulations affecting courses of study.

*Clause 35* provides for affiliation with another educational institution.

### **PART 6—PROPERTY AND FINANCIAL**

*Clause 36* provides for application of fees and other money received by or on behalf of the University.

*Clause 37* provides for the acquisition of land by the Minister for the purposes of or in connection with the University.

*Clause 38* provides for the creation and administration of trust and other funds.

*Clause 39* provides for the formation and membership of companies by the University.

*Clause 40* provides for the keeping of accounts and records.

*Clause 41* provides for the preparation and submission of annual reports.

*Clause 42* provides for the auditing of financial statements by the Auditor General.

### **PART 7—GENERAL**

*Clause 43* provides for the Governor to be the Visitor of the University.

*Clause 44* provides for elections conducted for the purposes of this Act.

*Clause 45* provides for imposition of fines and payment of compensation.

## **PART 8—TRANSITIONAL PROVISIONS**

*Clause 46* provides for the initial appointment of the Chancellor of the University.

*Clause 47* makes transitional provisions for the appointment of members of Council.

*Clause 48* provides for determination of the period of office of certain members of Council.

*Clause 49* provides for students of RMIT Institute or Phillip to become students of the University and for the conferring of degrees or other awards to those students.

*Clause 50* provides for the indemnity of former members of Council of RMIT Company or Phillip.

## **PART 9—MERGER**

*Clause 51* provides for the University to be successor in law of RMIT Institute.

*Clause 52* provides for the transfer of assets and liabilities of Phillip to the University and for the dissolution of Phillip and its Council.

*Clause 53* provides for gifts, trusts, etc. relating to RMIT Institute, RMIT Company or Phillip to transfer to the University.

*Clause 54* provides for certain land used by RMIT Institute to vest in the University.

*Clause 55* makes provision for a reservation of certain land used by RMIT.

*Clause 56* provides for certain land used by Phillip to vest in the University.

*Clause 57* provides for amendment to the Register.

*Clause 58* provides for transfer of members of staff of RMIT Institute and Phillip to transfer to the University.

*Clause 59* provides for continuity of regulations of RMIT Institute and Phillip.

*Clause 60* provides that RMIT Company and Phillip or its Council shall be deemed to have had the power to act as required for the purpose of establishing the University in accordance with this Act.

*Clause 61* provides for the student organisations related to RMIT Institute or Phillip to relate to the University.

*Clause 62* provides for the revocation of the Order in Council constituting the Council of Phillip.

*Clause 63* provides for limitation of jurisdiction by the Supreme Court in relation to land transfer.

## **PART 10—CONSEQUENTIAL AMENDMENTS**

*Clause 64* makes consequential amendments to the Schedules to the **Post-Secondary Education Act 1978**.

*Clause 65* makes consequential amendments to the **Vocational Education and Training Act 1990**.

*Clause 66* makes consequential amendments to the **Administrative Law Act 1978**.