

# University Acts (Further Amendment) Bill

## EXPLANATORY MEMORANDUM

### PART 1—PRELIMINARY

*Clause 1* provides that the purpose of this Act is to amend Acts establishing Victorian universities and the **Victorian College of the Arts Act 1981**.

*Clause 2* provides for the commencement of the Bill.

### PART 2—AMENDMENT OF MONASH UNIVERSITY ACT 1958

*Clause 3* amends the objects of the University to widen the range of organisations which may be affiliated with the University.

*Clause 4* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for council meetings.

*Clause 5* specifies that the Council may as prescribed revoke any degree or diploma conferred or awarded by the University.

*Clause 6* makes provision for the College Board to make resolutions without meetings and provides for approved methods of communication for College Board meetings.

*Clause 7* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Academic Board meetings.

*Clause 8* amends the power of affiliation to widen the range of organisations which may be affiliated with the University.

*Clause 9* makes provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 10* inserts a heading for division 7 (a) of the Act which provides for the formation and membership of companies, joint ventures etc.

*Clause 11* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.

*Clause 12* repeals section 41 of the **Monash University Act 1958** to remove a requirement to provide a copy of annual reports to the Governor in Council.

### PART 3—AMENDMENT OF MELBOURNE UNIVERSITY ACT 1958

*Clause 13* makes consequential amendments to provisions relating to the composition of the Council of the University.

*Clause 14* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 15* amends the power for affiliation of other organisations to include educational institutions, organisations or bodies.

*Clause 16* makes provision for the Committee of Convocation to make resolutions without meetings and provides for approved methods of communication for Committee meetings.

*Clause 17* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 18* provides for regulations made by the Vice-Chancellor to take effect from the day on which they are promulgated.

*Clause 19* repeals section 46 of the **Melbourne University Act 1958** to remove a requirement to provide a copy of annual reports to the Governor in Council.

#### **PART 4—AMENDMENT OF LA TROBE UNIVERSITY ACT 1964**

*Clause 20* amends the **La Trobe University Act 1964** to make provision for prescription of certain matters by regulation under statutes.

*Clause 21* provides for the terms of office of Council members to be completed on 31 December in the relevant year.

*Clause 22* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 23* makes provision for the appointment of a person to act as Vice-Chancellor.

*Clause 24* specifies that the Council may as prescribed revoke any degree or diploma conferred or awarded by the University.

*Clause 25* makes provision for the indemnification of members of Council and members of committees constituted or appointed by the Council.

*Clause 26* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 27* amends provisions for the making of statutes and regulations with respect to academic awards and affiliation of other organisations.

*Clause 28* makes provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 29* inserts a heading for a new **Division 9** which deals with the formation and membership of companies joint ventures etc.

*Clause 30* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.

*Clause 31* repeals section 41 of the **La Trobe University Act 1964** to remove a requirement to provide a copy of annual reports to the Governor in Council.

*Clause 32* makes transitional provisions for Council members consequential on the change in date for completion of terms of office.

#### **PART 5—AMENDMENT OF DEAKIN UNIVERSITY ACT 1974**

*Clause 33* amends the size of the Council by the addition of two persons appointed by the Governor in Council and removes a limitation on the number of terms which a member may serve.

*Clause 34* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 35* specifies that the Council may as prescribed revoke any degree, diploma or certificate conferred or awarded by the University.

*Clause 36* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 37* amends the power of affiliation to widen the range of organisations which may be affiliated with the University.

*Clause 38* makes provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 39* amends a clause regulating investment of trust funds.

*Clause 40* inserts a heading for **Division 7** of the Act which provides for the formation and membership of companies, joint ventures etc.

*Clause 41* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.

*Clause 42* repeals section 37 of the **Deakin University Act 1974** to remove a requirement to provide a copy of annual reports to the Governor in Council.

*Clause 43* makes statute law revisions to the **Deakin University Act 1974**.

#### **PART 6—AMENDMENT OF VICTORIAN COLLEGE OF THE ARTS ACT 1981**

*Clause 44* amends the objects of the Victorian College of the Arts with respect to offering courses and conferring certificates and other awards.

*Clause 45* removes an age restriction for members of the Council and a limitation on the number of terms which a member may serve.

*Clause 46* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 47* makes provision for the Board of Studies to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 48* amends the power to make statutes with respect to the granting of degrees and conferral of diplomas, certificates or other awards.

*Clause 49* amends a clause regulating investment of trust funds.

*Clause 50* makes a statute law revision in the **Victorian College of the Arts Act 1981**.

## **PART 7—AMENDMENT OF VICTORIA UNIVERSITY OF TECHNOLOGY ACT 1990**

*Clause 51* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 52* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 53* makes provision for the Board of Technical and Further Education to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 54* amends the power of affiliation to widen the range of organisations which can be affiliated with the University.

*Clause 55* amends a clause regulating investment of trust funds.

*Clause 56* amends provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 57* makes a statute law revision in the **University Acts (Amendment) Act 1994**.

## **PART 8—AMENDMENT OF SWINBURNE UNIVERSITY OF TECHNOLOGY ACT 1992**

*Clause 58* alters the term used for non academic staff of the University, removes limitations on the number of terms which can be served by a member of Council and provides for completion of terms of office of Council members on 31 December in the relevant year.

*Clause 59* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 60* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 61* makes provision for the Board of Technical and Further Education to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 62* removes a requirement for approval of the Minister for the making of statutes for the purposes of the Technical and Further Education Division of the Act.

*Clause 63* amends the power of affiliation to widen the range of organisations which may be affiliated with the University.

*Clause 64* makes provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 65* provides for a requirement of approval by the Minister before alienation of land granted to the University.

*Clause 66* amends a clause regulating investment of trust funds.

*Clause 67* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.

*Clause 68* makes a transitional arrangement for members of the Council consequential on the change in date for completion of terms of office.

#### **PART 9—AMENDMENT OF ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY ACT 1992**

*Clause 69* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 70* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 71* makes provision for the Board of Technical Studies to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 72* amends the power of affiliation to widen the range of organisations which may be affiliated with the University.

*Clause 73* amends a clause regulating investment of trust funds.

*Clause 74* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.

*Clause 75* makes a statute law revision in the **University Acts (Amendment) Act 1994**.

#### **PART 10—AMENDMENT OF UNIVERSITY OF BALLARAT ACT 1993**

*Clause 76* makes provision for the Council to make resolutions without meetings and provides for approved methods of communication for Council meetings.

*Clause 77* makes provision for the Academic Board to make resolutions without meetings and provides for approved methods of communication for Board meetings.

*Clause 78* amends the power of affiliation to widen the range of organisations which may be affiliated with the University.

*Clause 79* makes provision for the University to borrow or obtain financial accommodation within the meaning of the **Borrowing and Investment Powers Act 1987**.

*Clause 80* amends provisions for the formation and membership of companies, joint ventures etc. and provides for the University to notify the Minister when such action is taken.