



Australian Capital Territory

Canberra Institute of Technology Act 1987

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About this republication

The republished law

This is a republication of the *Canberra Institute of Technology Act 1987* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 January 2006. It also includes any amendment, repeal or expiry affecting the republished law to 1 January 2006.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Canberra Institute of Technology Act 1987

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01/01/06

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Australian Capital Territory

Canberra Institute of Technology Act 1987

An Act to establish the Canberra Institute of Technology

R9
01/01/06

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Part 1 Preliminary

1 Name of Act

This Act is the *Canberra Institute of Technology Act 1987*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

Part 2

Establishment, functions and powers of institute

Note for pt 2

The governance of territory authorities, including the institute, is regulated by the *Financial Management Act 1996* (the *FMA*), pt 9 as well as the Act that establishes them.

The FMA, pt 9 deals, for example, with the corporate status of territory authorities and their powers.

4 Establishment of institute

The Canberra Institute of Technology is established.

Note The Legislation Act, dict, pt 1, defines *establish* as including continue in existence.

5 Functions

- (1) The functions of the institute are—
- (a) to conduct, mainly in the ACT, an educational institution to foster excellence in study in the fields of technical and further education that the director, with the Minister's written approval, decides or the Minister requires; and
 - (b) to provide courses and programs, and to use the facilities and resources of the institute, to advance and develop knowledge and skill in the fields of technical and further education; and
 - (c) to support industry and commerce, and to assist the development of industry and commerce and the community, in the ACT; and
 - (d) to promote the development of community awareness and appreciation of technical and further education; and
 - (e) to confer awards to people who have completed courses of studies at the institute; and

- (f) to confer honorary awards; and
 - (g) to consult and cooperate with other entities in relation to the provision of technical and further education; and
 - (h) to make suitable financial arrangements with industry and commerce for the purposes of its functions under paragraphs (a) to (g); and
 - (i) to do anything incidental to its functions under paragraphs (a) to (h).
- (2) A decision of the director, or a requirement of the Minister, under subsection (1) (a) must be in writing.
- (3) A direction under subsection (3) is a notifiable instrument.
- Note* A notifiable instrument must be notified under the Legislation Act.
- (4) If the Minister gives a direction under subsection (3), a copy of the direction must be presented to the Legislative Assembly within 5 sitting days after the day the direction is given.

6 Minister's directions

- (1) The Minister may, in writing, give a direction to the director in relation to the exercise of the institute's functions.
- (2) The institute must comply with any direction of the Minister.

9 Institute's powers

The institute has the following powers:

- (a) erecting buildings and structures and carrying out works;
- (b) occupying, using and controlling any land or building owned or leased (whether from the Territory or anyone else) and made available to the institute;
- (c) making available, by lease or otherwise, any land or building to anyone else;

- (d) accepting gifts, grants, devises and bequests, whether on trust or otherwise, and acting as trustee of property vested in it on trust;
- (e) providing scholarships and other similar benefits;
- (f) charging for work done and services provided;
- (g) providing consultative services;
- (h) investing in shares in, or debentures or other securities of, a company;
- (i) providing services, facilities or resources to—
 - (i) any company in which it holds shares; or
 - (ii) a member of any partnership it has entered into; or
 - (iii) a member of any joint venture it participates in;
- (j) acting as an agent for other people;
- (k) getting commercial sponsorship;
- (l) establishing and conducting residential facilities for its staff or students either by itself or in association with other entities;
- (m) establishing and maintaining library, museum, art and other collections either by itself or in association with other entities.

Note A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def *entity*).

Part 3 Director of institute

14 Director

- (1) The Minister must appoint a person as the Director of the institute.

Note 1 For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

Note 2 In particular, an appointment may be made by naming a person or nominating the occupant of a position (see s 207).

Note 3 Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see Legislation Act, div 19.3.3).

- (2) The director must not be appointed for a term of longer than 5 years.

Note A person may be reappointed to a position if the person is eligible to be appointed to the position (see Legislation Act, s 208 and dict, pt 1, def *appoint*).

- (3) The conditions of appointment of the director are the conditions agreed between the director and the Minister, subject to any determination under the *Remuneration Tribunal Act 1995*.

15 Ending director's appointment

The Minister may end the director's appointment—

- (a) if the director contravenes a territory law; or
- (b) for misbehaviour; or
- (c) if the director becomes bankrupt or executes a personal insolvency agreement; or
- (d) if the director is convicted, or found guilty, in Australia of an offence punishable by imprisonment for at least 1 year; or
- (e) if the director is convicted, or found guilty, outside Australia of an offence that, if it had been committed in the ACT, would be punishable by imprisonment for at least 1 year; or

- (f) if the director exercises the director's functions other than in accordance with section 16 (Honesty, care and diligence of director); or
- (g) if the director fails to take all reasonable steps to avoid being placed in a position where a conflict of interest arises during the exercise of the director's functions; or
- (h) if the director contravenes section 18 (Disclosure of interests by director); or
- (i) for physical or mental incapacity, if the incapacity substantially affects the exercise of the director's functions.

Note A person's appointment also ends if the person resigns (see Legislation Act, s 210).

16 Honesty, care and diligence of director

In exercising the functions of director, the director must exercise the degree of honesty, care and diligence required to be exercised by a director of a corporation in relation to the affairs of the corporation.

17 Conflict of interest

The director must take all reasonable steps to avoid being placed in a position where a conflict of interest arises during the exercise of the director's functions.

18 Disclosure of interests by director

- (1) If the director has a material interest in an issue being considered, or about to be considered, by the director, the director must disclose the nature of the interest to the Minister as soon as practicable after the relevant facts come to the director's knowledge.

Note **Material interest** is defined in s (2). The definition of **indirect interest** in s (2) applies to the definition of **material interest**.

- (2) In this section:

associate, of the director, means—

- (a) the director's business partner; or
- (b) a close friend of the director; or
- (c) a family member of the director.

executive officer, of a corporation, means a person (however described) who is concerned with, or takes part in, the corporation's management, whether or not the person is a director of the corporation.

indirect interest—without limiting the kinds of indirect interests the director may have, the director has an **indirect interest** in an issue if any of the following has an interest in the issue:

- (a) an associate of the director;
- (b) a corporation if the corporation has not more than 100 members and the director, or an associate of the director, is a member of the corporation;
- (c) a subsidiary of a corporation mentioned in paragraph (b);
- (d) a corporation if the director, or an associate of the director, is an executive officer of the corporation;
- (e) the trustee of a trust if the director, or an associate of the director, is a beneficiary of the trust;
- (f) a member of a firm or partnership if the director, or an associate of the director, is a member of the firm or partnership;
- (g) someone else carrying on a business if the director, or an associate of the director, has a direct or indirect right to participate in the profits of the business.

material interest—the director has a **material interest** in an issue if the director has—

- (a) a direct or indirect financial interest in the issue; or

- (b) a direct or indirect interest of any other kind if the interest could conflict with the proper exercise of the director's functions in relation to the Minister's consideration of the issue.

19 Powers of director

- (1) In exercising the director's functions, the director has power to make administrative arrangements or give directions to a member of staff or a student in relation to the following:
 - (a) the management, good government and discipline of the institute;
 - (b) the custody and use of the institute's seal;
 - (c) the admission of people to courses of study or instruction of the institute or to examinations of the institute;
 - (d) the awards (including honorary awards) that may be conferred by the institute and the requirements for their conferral;
 - (e) the granting by the institute of scholarships, bursaries and prizes;
 - (f) the review of progress of students;
 - (g) the provision of loans to any student;
 - (h) the provision and management of, and fees or other charges payable for, the use of amenities and services;
 - (i) the association or affiliation with the institute of any other entity.

Note A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def *entity*).

20 Protection of director from liability

- (1) The director is not civilly liable for anything done or omitted to be done honestly and without recklessness—

- (a) in the exercise of a function under a territory law; or
 - (b) in the reasonable belief that the act or omission was in the exercise of a function under a territory law.
- (2) Any liability that would, apart from this section, attach to the director attaches instead to the Territory.

Part 5 Council of institute

28 Establishment of council

There is established by this section a council by the name of the Canberra Institute of Technology Advisory Council.

29 Function and powers of council

- (1) The function of the council is to advise the director in relation to matters relating to the functions of the institute and, in particular, in relation to—
 - (a) the educational policies to be implemented in the institute; and
 - (b) the welfare of students at the institute and the management of the institute; and
 - (c) the development of relationships between the institute and the community; and
 - (d) the planning and programming of educational services to be provided by the institute and the financial policies for the institute.

Note A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def *entity*).

- (2) Advice given by the council must be in writing.
- (3) The council may report in writing to the Minister on any matter relating to the functions of the institute.

30 Membership of council

- (1) The council consists of—
 - (a) the chairperson; and
 - (b) the deputy chairperson; and

- (c) 10 other members.
- (2) Of the members mentioned in subsection (1) (c)—
 - (a) 1 must be a representative of an organisation that represents the teaching staff; and
 - (b) 1 must be a representative of the student body; and
 - (c) 1 must be a representative of industry and commerce; and
 - (d) 1 must be the chairperson of the vocational education and training authority; and
 - (e) the remaining 6 members must be people possessing expertise relevant to the management and operation of the institute.
- (3) The director must not be appointed as a member.
- (4) A member of staff must not be appointed as the chairperson or the deputy chairperson.
- (5) The members must be appointed in writing by the Minister.
- (6) Subject to this Act, a member holds office for the period, not longer than 3 years, and on the terms and conditions, specified in the instrument of appointment.

32 Ending council member appointments

- (1) The Minister may end a member's appointment—
 - (a) if the member contravenes a territory law; or
 - (b) for misbehaviour; or
 - (c) if the member becomes bankrupt or executes a personal insolvency agreement; or
 - (d) if the member is convicted, or found guilty, in Australia of an offence punishable by imprisonment for at least 1 year; or

- (e) if the member is convicted, or found guilty, outside Australia of an offence that, if it had been committed in the ACT, would be punishable by imprisonment for at least 1 year; or
- (f) if the member exercises the member's functions other than in accordance with section 34 (Honesty, care and diligence of council members); or
- (g) if the member fails to take all reasonable steps to avoid being placed in a position where a conflict of interest arises during the exercise of the member's functions; or
- (h) if the member contravenes section 37 (Disclosure of interests by council members); or
- (i) if the member is absent from 3 consecutive meetings of the council, otherwise than on approved leave; or
- (j) for physical or mental incapacity, if the incapacity substantially affects the exercise of the member's functions.

Note A person's appointment also ends if the person resigns (see Legislation Act, s 210).

- (2) The Minister may also end the appointment of the member (the ***member concerned***) if the council tells the Minister in writing that it has resolved, by a majority of at least $\frac{2}{3}$ of the members, to recommend to the Minister that the member's appointment be ended.
- (3) The council may pass a resolution mentioned in subsection (2) only if—
 - (a) at least 3 weeks written notice of the intention to consider the proposed resolution has been given to the member concerned; and
 - (b) the member concerned has been given an opportunity to make submissions and present documents to a meeting of the council; and

- (c) if the member concerned has used the opportunity mentioned in paragraph (b)—a summary of the member’s submissions is recorded in the minutes of the council and a copy of any documents presented is included in the minutes.

34 Honesty, care and diligence of council members

In exercising the functions of a council member, a member must exercise the degree of honesty, care and diligence required to be exercised by a director of a corporation in relation to the affairs of the corporation.

35 Conflict of interest

A council member must take all reasonable steps to avoid being placed in a position where a conflict of interest arises during the exercise of the member’s functions.

36 Agenda to require disclosure of interest item

The agenda for each meeting of the council must include an item requiring any material interest in an issue to be considered at the meeting to be disclosed to the meeting.

37 Disclosure of interests by council members

- (1) If a council member has a material interest in an issue being considered, or about to be considered, by the council, the member must disclose the nature of the interest at a council meeting as soon as practicable after the relevant facts come to the member’s knowledge.

Note **Material interest** is defined in s (4). The definition of **indirect interest** in s (4) applies to the definition of **material interest**.

- (2) The disclosure must be recorded in the council’s minutes and, unless the council otherwise decides, the member must not—
 - (a) be present when the council considers the issue; or
 - (b) take part in a decision of the council on the issue.

Example

Derek, Ellen and Frank are members of the council. They have an interest in an issue being considered at a council meeting and they disclose the interest as soon as they become aware of it. Derek's and Ellen's interests are minor but Frank has a direct financial interest in the issue.

The council considers the disclosures and decides that because of the nature of the interests:

- Derek may be present when the council considers the issue but not take part in the decision
- Ellen may be present for the consideration and take part in the decision.

The council does not make a decision allowing Frank to be present or take part in the council's decision. Accordingly, since Frank has a material interest he cannot be present for the consideration of the issue or take part in the decision.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) Any other council member who also has a material interest in the issue must not be present when the council is considering its decision under subsection (2).
- (4) In this section:

associate, of a person, means—

- (a) the person's business partner; or
- (b) a close friend of the person; or
- (c) a family member of the person.

executive officer, of a corporation, means a person, by whatever name called and whether or not the person is a director of the corporation, who is concerned with, or takes part in, the corporation's management.

indirect interest—without limiting the kinds of indirect interests a person may have, a person has an ***indirect interest*** in an issue if any of the following has an interest in the issue:

- (a) an associate of the person;

- (b) a corporation if the corporation has not more than 100 members and the person, or an associate of the person, is a member of the corporation;
- (c) a subsidiary of a corporation mentioned in paragraph (b);
- (d) a corporation if the person, or an associate of the person, is an executive officer of the corporation;
- (e) the trustee of a trust if the person, or an associate of the person, is a beneficiary of the trust;
- (f) a member of a firm or partnership if the person, or an associate of the person, is a member of the firm or partnership;
- (g) someone else carrying on a business if the person, or an associate of the person, has a direct or indirect right to participate in the profits of the business.

material interest—a council member has a **material interest** in an issue if the member has—

- (a) a direct or indirect financial interest in the issue; or
- (b) a direct or indirect interest of any other kind if the interest could conflict with the proper exercise of the member's functions in relation to the council's consideration of the issue.

38 Reporting of disclosed interests to Minister

- (1) Within 3 months after the day a material interest is disclosed under section 43 (1), the chairperson of the council must report to the Minister in writing about—
 - (a) the disclosure; and
 - (b) the nature of the interest disclosed; and
 - (c) any decision by the council under section 43 (2).
- (2) The chairperson must also give the Minister, not later than 31 days after the end of each financial year, a statement that sets out the

information given to the Minister in reports under subsection (1) that relate to disclosures made during the previous financial year.

- (3) The Minister must give a copy of the statement to the relevant committee of the Legislative Assembly within 31 days after the day the Minister receives the statement.
- (4) In this section:

relevant committee means—

- (a) a standing committee of the Legislative Assembly nominated by the Speaker for subsection (3); or
- (b) if no nomination under paragraph (a) is in effect—the standing committee of the Legislative Assembly responsible for public accounts.

39 Protection of council members from liability

- (1) A council member is not civilly liable for anything done or omitted to be done honestly and without recklessness—
 - (a) in the exercise of a function under a territory law; or
 - (b) in the reasonable belief that the act or omission was in the exercise of a function under a territory law.
- (2) Any liability that would, apart from this section, attach to a council member attaches instead to the institute.

40 Time and place of council meetings

- (1) Meetings of the council are to be held when and where it decides.
- (2) However, the council must meet—
 - (a) at least 6 times each year; and
 - (b) at least once every 3 months.
- (3) The chairperson—
 - (a) may at any time call a meeting of the council; and

(b) must call a meeting if asked by the Minister or at least 2 members.

- (4) The chairperson must give the other members reasonable notice of the time and place of a meeting called by the chairperson.

41 Presiding member at meetings

- (1) The chairperson presides at all meetings at which the chairperson is present.
- (2) If the chairperson is absent and the council has a deputy chairperson, the deputy chairperson presides.
- (3) If the chairperson and the deputy chairperson are absent or the chairperson is absent and there is no deputy chairperson, the member chosen by the members present presides.

42 Quorum at meetings

Business may be carried on at a meeting of the council only if at least $\frac{1}{2}$ the number of members appointed are present.

43 Voting at meetings

- (1) At a meeting of the council each member has a vote on each question to be decided.
- (2) A question is decided by a majority of the votes of the members present and voting but, if the votes are equal, the member presiding has a deciding vote.

44 Conduct of meetings etc

- (1) The council may conduct its proceedings (including its meetings) as it considers appropriate.
- (2) A meeting may be held using a method of communication, or a combination of methods of communication, that allows a council member taking part to hear what each other member taking part says without the members being in each other's presence.

Examples

a phone link, a satellite link

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) A council member who takes part in a meeting conducted under subsection (2) is taken, for all purposes, to be present at the meeting.
- (4) A resolution is a valid resolution of the council, even if it is not passed at a meeting of the board, if all members agree to the proposed resolution in writing or by electronic communication.

Example of electronic communication

email

- (5) The council must keep minutes of its meetings.

Part 7 Staff and consultants

49 Staff of institute

The institute staff must be employed under the *Public Sector Management Act 1994*.

Note The *Public Sector Management Act 1994*, s 24 provides that the chief executive officer of a territory instrumentality has all the powers of a chief executive under the Act in relation to the instrumentality staff to be employed under that Act (including, for example, in relation to the appointment of people to, or the employment of people for, that staff). Under that Act, s 3, def *chief executive officer*, the chief executive officer of an instrumentality is the person who has responsibility for managing its affairs.

50 Consultants of institute

- (1) The institute may engage consultants.
- (2) Consultants are to be engaged on terms decided by the institute.
- (3) However, this section does not give the institute a power to enter into a contract of employment.

51 Personnel management

- (1) The powers of the institute in relation to employment matters must be exercised—
 - (a) without patronage, favouritism or unjustified discrimination; and
 - (b) with regard to the equal employment opportunity program for the institute.
- (2) Without limiting subsection (1) (a), and subject to subsection (1) (b), the powers of the institute in relation to employment must be exercised in accordance with procedures that ensure that if a person

is to be selected for engagement for a period longer than 3 months, or for advancement, by the institute—

- (a) all people who are eligible have, so far as practicable, a reasonable opportunity to apply for selection; and
 - (b) the selection is made on the basis of an assessment of the relative suitability of the applicants having regard to—
 - (i) the nature of the duties to be performed; and
 - (ii) the abilities, qualifications, experience, personal qualities and potential for development of each applicant that are relevant to the performance of the duties.
- (3) A reference in this section to the exercise of a power includes a reference to the making of a report or recommendation in relation to the exercise of that power.
- (4) For subsection (1) (b), the director must on behalf of the institute after consulting with each relevant staff organisation and anyone else the director considers appropriate—
- (a) develop an equal employment opportunity program for the institute; and
 - (b) from time to time, review that program.
- (5) As soon as practicable after the development or review of an equal employment opportunity program in accordance with subsection (4), the director must provide the commissioner for public administration with written particulars of the program.
- (6) The commissioner for public administration may, from time to time, by written notice given to the director, issue guidelines to the director on the provisions to be made by the equal employment opportunity program, and on the development, implementation or review of the program.

- (7) The director must take any action necessary to give effect to the equal employment opportunity program and to comply with any guidelines issued under subsection (6).
- (8) The director in relation to the institute must give to the Minister a written report relating to the operation of this section during each financial year.
- (9) In this section:

advancement means movement within the institute resulting in an employee undertaking work, and being remunerated, at a higher level than previously.

designated group means any of the following classes of people:

- (a) members of the Aboriginal race of Australia or people who are descendants of indigenous inhabitants of the Torres Strait Islands;
- (b) people who have migrated to Australia and whose first language is a language other than English, and the children of such people;
- (c) people with physical or mental disabilities;
- (d) any other class of people declared by regulation to be a designated group for this definition.

employment matter, in relation to the institute, means—

- (a) the selection of people by the institute for engagement or advancement; or
- (b) the transfer of employees to positions in the institute; or
- (c) training and staff development for employees of the institute; or
- (d) the conditions of service of employees of the institute; or

- (e) any other matter related to the employment of people by the institute.

equal employment opportunity program, in relation to the institute, means a program designed to ensure that—

- (a) appropriate action is taken to eliminate unjustified discrimination against women and people in designated groups in relation to employment matters; and
- (b) measures are taken to enable employees who are women or people in designated groups—
- (i) to compete for engagement, transfer and advancement; and
 - (ii) to pursue careers;
- as effectively as other people and to have equal opportunities with others in relation to other employment matters.

relevant staff organisation, in relation to the institute, means an organisation—

- (a) within the meaning of the *Workplace Relations Act 1996* (Cwlth); and
- (b) in which people employed by the institute would be eligible for membership; and
- (c) that is a party to an industrial award that applies in relation to the salary payable in relation to that employment.

unjustified discrimination includes—

- (a) discrimination that is unlawful under the *Discrimination Act 1991*; and
- (b) unjustified discrimination on the ground of age or social origin;
- but does not include—

- (c) discrimination that is essential for the effective performance of the relevant duties, is not unlawful under the *Discrimination Act 1991* and is prescribed; or
- (d) discrimination that is not unlawful under the *Discrimination Act 1991* and is in accordance with the equal employment opportunity program for the institute or with a prescribed program.

Part 8 Finance

53 Fees

- (1) There is payable to the institute the fees for attendance at courses and programs that the Minister may determine in writing.
- (2) The director may make a determination in relation to the institute in relation to—
 - (a) fees the payment of which is voluntary; or
 - (b) fees in relation to the provision of an administrative service; or
 - (c) fees in relation to the provision to students of amenities or services not of an academic nature; or
 - (d) fees in relation to an organisation of students or of students and other people; or
 - (e) fees in relation to residential accommodation.
- (3) A fee is not payable by a person or class of people exempted from payment of the fee by a determination of the Minister under subsection (1) or the director under subsection (2).
- (4) A determination under subsection (1) is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

58 Trust money and trust property

- (1) The institute must pay trust money into a banking account kept under the *Financial Management Act 1996*, section 57.
- (2) The institute—
 - (a) must apply or deal with trust money and trust property only in accordance with its powers and duties as trustee; and

- (b) may only invest trust money—
 - (i) in a way in which it is authorised to invest the money by the terms of the trust; or
 - (ii) in a way in which trust money may be lawfully invested.

59 Exemption from taxation

- (1) Subject to this section, the income, property and transactions of the institute are not subject to taxation under any territory law.
- (2) A regulation may provide that subsection (1) does not apply in relation to taxation under a specified law.

60 Application of Financial Management Act, pt 8

The *Financial Management Act 1996*, part 8 applies in relation to the institute as if a reference in that part to a financial year were a reference to a calendar year.

Part 9 Miscellaneous

62 Delegation by director

The director may delegate the director's functions to someone else.

Note For the making of delegations and the exercise of delegated functions, see the Legislation Act, pt 19.4.

63 Notification of decisions

- (1) If the director makes a decision—
- (a) not to admit a person to a course of study or instruction of the institute or to an examination of the institute under section 16 (1) (g); or
 - (b) not to confer an award (not including an honorary award) on a person under section 16 (1) (h); or
 - (c) precluding a student from using facilities or attending a course, or part of a course, under section 16 (3);

the director must give notice of the decision to a person whose interests are affected by the decision.

- (2) A notice under subsection (1) must be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

64 Review by administrative review tribunal

- (1) Application may be made to the administrative appeals tribunal for a review of a decision of the director—
- (a) refusing to admit a person to a course of study or instruction of the institute or to an examination of the institute under section 16 (1) (g); or

- (b) refusing to confer an award (other than an honorary award) on a person under section 16 (1) (h); or
- (c) precluding a student from using facilities or attending a course, or part of a course, under section 16 (3).

65 Regulation-making power

- (1) The Executive may make regulations for this Act.

Note A regulation must be notified, and presented to the Legislative Assembly, under the Legislation Act.

- (2) A regulation may make provision in relation to the use or parking of vehicles on land occupied by the institute in the ACT, including the authorisation of, and the effect of, signs and markings.
- (3) A regulation may also prescribe offences for contraventions of a regulation and prescribe maximum penalties of not more than 10 penalty units for offences against a regulation.

Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- calendar year
- corporation
- entity
- establish
- exercise.

chairperson means the chairperson of the council.

council means the Canberra Institute of Technology Advisory Council established by section 28.

deputy chairperson means the deputy chairperson of the council.

director means the director of the institute.

institute means the Canberra Institute of Technology.

member means a member of the council.

para-professional training means training that leads to the award of an associate diploma.

staff, in relation to the institute, means people employed by the institute under section 49.

technical and further education means education provided by way of a course of instruction or training that is, or that is preparatory to, a course of a kind relevant to a trade, technical or other skilled occupation or that otherwise meets the educational needs of individuals and includes para-professional and professional training.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This Act was originally a Commonwealth ordinance—the *Canberra Institute of Technology Ordinance 1987* No 71 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

It was renamed as the *Canberra Institute of Technology Act 1987* by the *Canberra Institute of Technology (Amendment) Act 1992* (see s 5).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

Legislation before becoming Territory enactment

Canberra Institute of Technology Act 1987 No 71

notified 22 December 1987 (Cwlth Gaz 1987 No S353)

commenced 4 January 1988 (s 2 and Cwlth Gaz 1987 No S365)

as amended by

A.C.T. Institute of Technical and Further Education (Amendment) Ordinance 1988 No 82

notified 21 December 1988 (Cwlth Gaz 1988 No GN48)

commenced 21 December 1988

Self-Government (Consequential Amendments) Ordinance 1989 No 38 sch 1

notified 10 May 1989 (Cwlth Gaz 1989 No S160)

s 1, s 2 commenced 10 May 1989 (s 2 (1))

sch 1 commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989 No S164)

Legislation after becoming Territory enactment

Statutory Authorities (Audit Arrangements) Act 1990 No 25 pt 15

notified 22 June 1990 (Gaz 1990 No S29)
s 1, s 2 commenced 22 June 1990 (s 2 (1))
pt 15 commenced 22 June 1990 (s 2 (2) and Gaz 1990 No S35)

**Self-Government (Consequential Amendments) Act 1991 No 53 pt 2
div 1**

notified 2 October 1991 (Gaz 1991 No S98)
commenced 2 October 1991

**A.C.T. Institute of Technical and Further Education (Amendment) Act
1992 No 11**

notified 2 June 1992 (Gaz 1992 No S62)
commenced 2 June 1992

**Statute Law Revision (Miscellaneous Provisions) Act 1992 No 23
sch 1**

notified 4 June 1992 (Gaz 1992 No S71)
commenced 4 June 1992

Canberra Institute of Technology (Amendment) Act 1992 No 74

notified 8 December 1992 (Gaz 1992 No S218)
ss 1-3 commenced 8 December 1992 (s 2 (1))
remainder commenced 1 January 1993 (s 2 (2))

Canberra Institute of Technology (Amendment) Act 1994 No 13

notified 6 May 1994 (Gaz 1994 No S74)
s 1, s 2 commenced 6 May 1994 (s 2 (1))
remainder commenced 6 May 1994 (s 2 (2) and Gaz 1994 No S82)

**Public Sector Management (Consequential and Transitional
Provisions) Act 1994 No 38 sch 1 pt 11**

notified 30 June 1994 (Gaz 1994 No S121)
s 1, s 2 commenced 30 June 1994 (s 2 (1))
sch 1 pt 11 commenced 1 July 1994 (s 2 (2) and Gaz 1994 No S142)

Administrative Appeals (Consequential Amendments) Act 1994 No 60 sch 1

notified 11 October 1994 (Gaz 1994 No S197)
s 1, s 2 commenced 11 October 1994 (s 2 (1))
sch 1 commenced 14 November 1994 (s 2 (2) and see Gaz 1994 No S250)

Vocational Education and Training (Consequential Provisions) Act 1995 No 38 s 5

notified 31 October 1995 (Gaz 1995 No S266)
s 1, s 2 commenced 31 October 1995 (s 2 (1))
s 5 commenced 1 January 1996 (s 2 (2) and see Gaz 1995 No S322)

Statute Law Revision Act 1995 No 46 sch

notified 18 December 1995 (Gaz 1995 No S306)
commenced 18 December 1995 (s 2)

Remuneration Tribunal (Consequential and Transitional Provisions) Act 1995 No 56 sch

notified 20 December 1995 (Gaz 1995 No S313)
commenced 21 December 1995 (s 2 and see Gaz 1995 No S315)

Financial Management and Audit (Consequential and Transitional Provisions) Act 1996 No 26 sch pt 3

notified 1 July 1996 (Gaz 1996 No S130)
commenced 1 July 1996 (s 2)

Canberra Institute of Technology (Amendment) Act 1996 No 73

notified 20 December 1996 (Gaz 1996 No S328)
commenced 1 January 1997 (s 2 and see Gaz 1996 No S347)

Canberra Institute of Technology (Amendment) Act 1997 No 11

notified 16 May 1997 (Gaz 1997 No S131)
ss 1-3 commenced 16 May 1997 (s 2 (1))
remainder commenced 10 June 1997 (s 2 (2) and Gaz 1997 No S157)

Financial Institutions (Removal of Discrimination) Act 1997 No 88 sch

notified 1 December 1997 (Gaz 1997 No S380)
s 1, s 2 commenced 1 December 1997 (s 2 (1))
sch commenced 31 December 1997 (s 2 (2) and Gaz 1997 No S442)

Endnotes

4 Amendment history

Financial Management (Amendment) Act (No 2) 1997 No 102 s 15

notified 24 December 1997 (Gaz 1997 No S420)
ss 1-3 commenced 24 December 1997 (s 2 (1))
s 15 commenced 14 January 1998 (s 2 (2) and Gaz 1998 No S24)

Statute Law Revision (Penalties) Act 1998 No 54 sch

notified 27 November 1998 (Gaz 1998 No S207)
s 1, s 2 commenced 27 November 1998 (s 2 (1))
sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

Legislation (Consequential Amendments) Act 2001 No 44 pt 51

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 51 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Financial Management Legislation Amendment Act 2005 A2005-52 sch 1 pt 1.4

notified LR 26 October 2005
s 1, s 2 commenced 26 October 2005 (LA s 75 (1))
sch 1 pt 1.4 commenced 1 January 2006 (s 2 (2))

4 Amendment history

Title

title am 1992 No 74 s 4; 1994 No 13 s 4; 1996 No 73 s 4

Name of Act

s 1 am 1992 No 74 s 5

Dictionary

s 2 om 2001 No 44 amdt 1.524
ins A2005-52 amdt 1.50

Notes

s 3 am 1994 No 13 s 5; 1995 No 46 sch; 1996 No 73 s 5
defs reloc to dict A2005-52 amdt 1.49
sub A2005-52 amdt 1.50
def **academic board** ins 1994 No 13 s 5
om 1996 No 73 s 5
def **appoint** om A2005-52 amdt 1.48
def **committee** ins 1988 No 82 s 3
om 1992 No 74 s 6
def **dean** ins 1994 No 13 s 5
om 1996 No 73 s 5
def **director** sub 1994 No 13 s 5
om A2005-52 amdt 1.48

def **hotel school** ins 1994 No 13 s 5
om 1996 No 73 s 5
def **institution** ins 1994 No 13 s 5
om 1996 No 73 s 5
def **joint venture** om A2005-52 amdt 1.48
def **management advisory board** ins 1994 No 13 s 5
om 1996 No 73 s 5
def **securities** om A2005-52 amdt 1.48
def **share** om A2005-52 amdt 1.48

Establishment, functions and powers of institute

pt 2 hdg sub 1992 No 74 s 7; 1994 No 13 s 6; 1996 No 73 s 6;
A2005-52 amdt 1.51

Establishment and functions

div 2.1 hdg (prev pt 2 div 1 hdg) ins 1994 No 13 s 6
sub 1996 No 73 s 6
renum R8 LA
om A2005-52 amdt 1.52

Establishment of institute

s 4 hdg am 1996 No 73 notes
s 4 am 1992 No 74 s 8
sub A2005-52 amdt 1.53

Functions

s 5 orig s 5 am 1988 No 82 s 4
om 1992 No 74 s 9
(prev s 6) am 1988 No 82 s 5; 1989 No 38 sch 1; 1994 No 13
s 7
renum 1994 No 13 s 37
am 1996 No 73 s 7; 2001 No 44 amdt 1.525; ss renum R8 LA
(see 2001 No 44 amdt 1.526); pars renum R8 LA; A2005-52
amds 1.54-1.57

Australian International Hotel School

pt 2 div 2 hdg ins 1994 No 13 s 8
om 1996 No 73 s 8

Minister's directions

s 6 orig s 6 renum as s 5
(prev s 7) am 1988 No 82 s 6; 1989 No 38 sch 1; 1992 No 74
s 10
sub 1994 No 13 s 8
renum 1994 No 13 s 37
om 1996 No 73 s 8
ins A2005-52 amdt 1.58

Endnotes

4 Amendment history

Objective of hotel school

s 7 orig s 7 renum as s 6
(prev s 7A) ins 1994 No 13 s 8
renum 1994 No 13 s 37
om 1996 No 73 s 8

Objective of hotel school

s 7A renum as s 7

Functions of hotel school

s 7B renum as s 8

Powers

s 7C renum as s 9

Functions of hotel school

s 8 orig s 8 renum as s 10
(prev s 7B) ins 1994 No 13 s 8
renum 1994 No 13 s 37
om 1996 No 73 s 8

Powers and limitations

div 2.3 hdg (prev pt 2 div 3 hdg) ins 1994 No 13 s 8
am 1996 No 73 sch
renum R8 LA
om A2005-52 amdt 1.59

Institute's powers

s 9 orig s 9 renum as s 11
(prev s 7C) ins 1994 No 13 s 8
renum 1994 No 13 s 37
am 1994 No 38 sch 1 pt 11; 1996 No 73 s 9, sch; ss renum R8
LA
sub A2005-52 amdt 1.59

Limitations on formation of companies etc

s 10 orig s 10 renum as s 12
(prev s 8) am 1989 No 38 sch 1; 1994 No 13 s 9
renum 1994 No 13 s 37
am 1996 No 26 sch pt 3; 1996 No 73 sch
om A2005-52 amdt 1.59

Review of opinions

s 10A renum as s 13

Limitations on formation of partnerships

s 11 orig s 11 renum as s 14
(prev s 9) am 1989 No 38 sch 1; 1994 No 13 s 10
renum 1994 No 13 s 37
am 1996 No 73 sch
om A2005-52 amdt 1.59

Limitations on participation in joint ventures

s 12 orig s 12 renum as s 15
(prev s 10) am 1989 No 38 sch 1; 1994 No 13 s 11
renum 1994 No 13 s 37
am 1996 No 73 sch
om A2005-52 amdt 1.59

Review of opinions

s 13 orig s 13 renum as s 16
(prev s 10A) ins 1988 No 82 s 7
renum 1994 No 13 s 37
om A2005-52 amdt 1.59

Director of institute

pt 3 hdg am 1988 No 82 s 8
sub 1992 No 74 s 11
am 1994 No 13 s 12
sub A2005-52 amdt 1.60

Powers of director in relation to hotel school

s 13A renum as s 17
om A2005-52 amdt 1.60

Director

s 14 orig s 14 renum as s 18
(prev s 11) am 1988 No 82 s 9; 1994 No 13 s 13
renum 1994 No 13 s 37
am 1996 No 73 s 10; 1997 No 11 s 4
sub A2005-52 amdt 1.60

Ending director's appointment

s 15 orig s 15 renum as s 19
(prev s 12) am 1988 No 82 s 10; 1992 No 74 s 17; 1994 No 13
s 14
renum 1994 No 13 s 37
am 1996 No 73 s 11; ss renum R8 LA
sub A2005-52 amdt 1.60

Honesty, care and diligence of director

s 16 hdg am 1996 No 73 notes
s 16 orig s 16 renum as s 20
(prev s 13) am 1988 No 82 s 11; 1991 No 53 s 2; 1994 No 13
s 15
renum 1994 No 13 s 37
am 1996 No 26 sch pt 3; 2001 No 44 amdt 1.527, amdt 1.528;
pars renum R8 LA
sub A2005-52 amdt 1.60

Termination of appointment

s 16A renum as s 21
om A2005-52 amdt 1.60

Endnotes

4 Amendment history

Conflict of interest

s 17 orig s 17 renum as s 22
(prev s 13A) ins 1994 No 13 s 16
renum 1994 No 13 s 37
om 1996 No 73 s 12
ins A2005-52 amdt 1.60

Dean of hotel school

pt 3A hdg renum as pt 4

Dean

s 17A renum as s 23

Tenure of office of dean

s 17B renum as s 24

Functions of dean

s 17C renum as s 25

Powers of dean

s 17D renum as s 26

Acting dean

s 17E renum as s 27

Council of institute

pt 3B hdg renum as pt 5

Disclosure of interests by director

s 18 orig s 18 renum as s 28
(prev s 14) am 1994 No 13 s 17
renum 1994 No 13 s 37
om 1995 No 56 sch
ins A2005-52 amdt 1.60

Function and power of council

s 18A renum as s 29

Membership of council

s 18B renum as s 30

Resignation

s 18C renum as s 31

Termination of appointment

s 18D renum as s 32

Acting members

s 18E renum as s 33

Meetings

s 18F renum as s 34

Disclosure of interests

s 18G renum as s 35

Management advisory board and academic board

pt 3C renum as pt 6

Establishment of management advisory board

s 18H renum as s 36

Function of management advisory board

s 18I renum as s 37

Membership of management advisory board

s 18J renum as s 38

Resignation

s 18K renum as s 39

Termination of appointment

s 18L renum as s 40

Acting members

s 18M renum as s 41

Meetings

s 18N renum as s 42

Disclosure of interests

s 18O renum as s 43

Establishment of academic board

s 18P renum as s 44

Function of academic board

s 18Q renum as s 45

Membership of academic board

s 18R renum as s 46

Chairperson of academic board

s 18S renum as s 47

Procedures of academic board

s 18T renum as s 48

Staff

pt 3D hdg renum as pt 7

Powers of directors 19 orig s 19 renum as s 49
(prev s 15) am 1988 No 82 s 12
renum 1994 No 13 s 37
om 1997 No 11 s 5
ins A2005-52 amdt 1.60

Endnotes

4 Amendment history

Staff of hotel school

s 19AA renum as s 50

Personnel management

s 19A renum as s 51

Protection of director from liability

s 20 orig s 20 renum as s 52
(prev s 16) renum 1994 No 13 s 37
renum 1994 No 13 s 37
om 1997 No 11 s 5
ins A2005-52 amdt 1.60

Termination of appointment

s 21 orig s 21 renum as s 53
(prev s 16A) ins 1988 No 82 s 13
renum 1994 No 13 s 37
om 1997 No 11 s 5

Acting director

s 22 orig s 22 renum as s 54
(prev s 17) am 1988 No 82 s 14
renum 1994 No 13 s 37
sub 1997 No 11 s 5

Dean of hotel school

pt 4 hdg orig pt 4 hdg renum as pt 8
(prev pt IIIA hdg) ins 1994 No 13 s 18
renum 1994 No 13 s 37
om 1996 No 73 s 13

Dean

s 23 orig s 23 renum as s 55
(prev s 17A) ins 1994 No 13 s 18
renum 1994 No 13 s 37
om 1996 No 73 s 13

Tenure of office of dean

s 24 orig s 24 renum as s 56
(prev s 17B) ins 1994 No 13 s 18
renum 1994 No 13 s 37
om 1996 No 73 s 13

Functions of dean

s 25 orig s 25 sub 1989 No 38 sch 1
om 1994 No 13 s 28
(prev s 17C) ins 1994 No 13 s 18
renum 1994 No 13 s 37
om 1996 No 73 s 13

Powers of dean

s 26 orig s 26 om 1989 No 38 sch 1
(prev s 17D) ins 1994 No 13 s 18
renum 1994 No 13 s 37
am 1996 No 26 sch pt 3
om 1996 No 73 s 13

Acting dean

s 27 orig s 27 om 1989 No 38 sch 1
(prev s 17E) ins 1994 No 13 s 18
renum 1994 No 13 s 37
om 1996 No 73 s 13

Council of institute

pt 5 hdg (prev pt IIIB hdg) ins 1994 No 13 s 18
renum 1994 No 13 s 37

Establishment of council

s 28 orig s 28 renum as s 57
(prev s 18) sub 1988 No 82 s 15
am 1992 No 74 s 12
renum 1994 No 13 s 37

Function and powers of council

s 29 hdg orig s 29 hdg om 1989 No 38 sch 1
(prev s 18A hdg) sub 1992 No 74 notes
s 29 orig s 29 om 1989 No 38 sch 1
(prev s 18A) ins 1988 No 82 s 15
am 1992 No 74 s 17
renum 1994 No 13 s 37
am A2005-52 amdt 1.61, amdt 1.62

Membership of council

s 30 orig s 30 renum as s 58
(prev s 18B) ins 1988 No 82 s 15
am 1992 No 74 s 13, s 17; 1994 No 13 s 19
renum 1994 No 13 s 37
am 1995 No 38 s 5; 1996 No 73 s 14

Resignation

s 31 orig s 31 renum as s 59
(prev s 18C) ins 1988 No 82 s 15
renum 1994 No 13 s 37
om A2005-52 amdt 1.63

Application of Financial Management Act, pt 8

s 31A renum as s 60

Financial reporting and audit

s 31B renum as s 61

Endnotes

4 Amendment history

Miscellaneous

pt 5 hdg renum as pt 9

Ending council member appointments

s 32 orig s 32 renum as s 62
(prev s 18D) ins 1988 No 82 s 15
am 1992 No 74 s 14, s 17
renum 1994 No 13 s 37
pars renum R8 LA
sub A2005-52 amdt 1.64

Acting members

s 33 orig s 33 renum as s 63
(prev s 18E) ins 1988 No 82 s 15
am 1992 No 74 s 15
renum 1994 No 13 s 37
ss renum R8 LA
om A2005-52 amdt 1.65

Honesty, care and diligence of council members

s 34 orig s 34 renum as s 64
(prev s 18F) ins 1988 No 82 s 15
am 1992 No 74 s 17
renum 1994 No 13 s 37
sub A2005-52 amdt 1.66

Conflict of interest

s 35 orig s 35 renum as s 65
(prev s 18G) ins 1988 No 82 s 15
am 1992 No 74 s 17
renum 1994 No 13 s 37
sub A2005-52 amdt 1.66

Management advisory board and academic board

pt 6 hdg (prev pt IIIC hdg) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15

Management advisory board

pt 6 div 1 hdg ins 1994 No 13 s 20
om 1996 No 73 s 15

Agenda to require disclosure of interest item

s 36 (prev s 18H) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Disclosure of interests by council members

s 37 (prev s 18I) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Reporting of disclosed interests to Minister

s 38 (prev s 18J) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Protection of council members from liability

s 39 (prev s 18K) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Time and place of council meetings

s 40 (prev s 18L) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Presiding member at meetings

s 41 (prev s 18M) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Quorum at meetings

s 42 (prev s 18N) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Voting at meetings

s 43 (prev s 18O) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Academic board

pt 6 div 2 hdg ins 1994 No 13 s 20
om 1996 No 73 s 15

Conduct of meetings etc

s 44 (prev s 18P) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15
ins A2005-52 amdt 1.66

Endnotes

4 Amendment history

Function of academic board

s 45 (prev s 18Q) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15

Membership of academic board

s 46 (prev s 18R) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15

Chairperson of academic board

s 47 (prev s 18S) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15

Procedures of academic board

s 48 (prev s 18T) ins 1994 No 13 s 20
renum 1994 No 13 s 37
om 1996 No 73 s 15

Staff and consultants

pt 7 hdg (prev pt IIID hdg) ins 1994 No 13 s 20
renum 1994 No 13 s 37
am 1996 No 73 sch
sub A2005-52 amdt 1.67

Staff of institute

s 49 hdg sub 1996 No 73 notes
s 49 (prev s 19) am 1989 No 38 sch 1
renum 1994 No 13 s 37
sub 1994 No 38 sch 1 pt 11; A2005-52 amdt 1.68

Consultants of institute

s 50 (prev s 19AA) ins 1994 No 13 s 21
renum 1994 No 13 s 37
om 1996 No 73 s 16
ins A2005-52 amdt 1.68

Personnel management

s 51 (prev s 19A) ins 1992 No 11 s 3
am 1994 No 13 s 22
renum 1994 No 13 s 37
am 1994 No 38 sch 1 pt 11; 1996 No 73 s 17, sch; ss renum
R8 LA

Finance

pt 8 hdg (prev pt 4 hdg) renum 1994 No 13 s 37

Money to be appropriated by Legislative Assembly

s 52 hdg am 1994 No 13 s 23
s 52 (prev s 20) am 1988 No 82 s 16; 1989 No 38 sch 1; 1994
No 13 s 23
renum 1994 No 13 s 37
am 1996 No 73 sch
om 1997 No 102 s 15

Fees

s 53 (prev s 21) am 1994 No 13 s 24
renum 1994 No 13 s 37
am 1996 No 73 s 18; 2001 No 44 amdt 1.529, amdt 1.530

Estimates

s 54 (prev s 22) am 1988 No 82 s 17; 1994 No 13 s 25
renum 1994 No 13 s 37
om 1996 No 26 sch pt 3

Money of institute

s 55 hdg am 1996 No 73 notes
s 55 (prev s 23) am 1994 No 13 s 26
renum 1994 No 13 s 37
am 1996 No 73 sch
om A2005-52 amdt 1.69

Application of money

s 56 (prev s 24) am 1988 No 82 s 18; 1989 No 38 sch 1; 1994
No 13 s 27
renum 1994 No 13 s 37
am 1996 No 26 sch pt 3; 1996 No 73 s 19, sch
om A2005-52 amdt 1.69

Security

s 57 (prev s 28) am 1989 No 38 sch 1; 1994 No 13 s 29
renum 1994 No 13 s 37
om 1996 No 26 sch pt 3

Trust money and trust property

s 58 (prev s 30) sub 1994 No 13 s 30
renum 1994 No 13 s 37
am 1996 No 26 sch pt 3; 1996 No 73 s 20, sch; 1997 No 88
sch; ss renum R8 LA; A2005-52 amdt 1.70

Exemption from taxation

s 59 (prev s 31) am 1994 No 13 s 31
renum 1994 No 13 s 37
am 1996 No 73 s 21, sch

Endnotes

4 Amendment history

Application of Financial Management Act, pt 8

s 60 (prev s 31A) ins 1990 No 25 s 18
am 1994 No 13 s 32
renum 1994 No 13 s 37
sub 1996 No 26 sch pt 3
am 1996 No 73 s 22

Financial reporting and audit

s 61 hdg am 1992 No 76 s 16
s 61 (prev s 31B) ins 1990 No 25 s 18
am 1992 No 74 s 16; 1994 No 13 s 33
renum 1994 No 13 s 37
om 1996 No 26 sch pt 3

Miscellaneous

pt 9 hdg (prev pt 5 hdg) renum 1994 No 13 s 37

Delegation by director

s 62 (prev s 32) renum 1994 No 13 s 37
sub A2005-52 amdt 1.71

Notification of decisions

s 63 (prev s 33) am 1988 No 82 s 19; 1989 No 38 sch 1; 1994
No 13 s 34
renum 1994 No 13 s 37
am 1994 No 60 sch 1; 1996 No 73 s 23

Review by administrative review tribunal

s 64 (prev s 34) am 1988 No 82 s 20; 1992 No 23 sch 1; 1994
No 13 s 35
renum 1994 No 13 s 37
am 1996 No 73 s 24

Regulation-making power

s 65 (prev s 35) am 1988 No 82 s 21; 1989 No 38 sch 1; 1994
No 13 s 36
renum 1994 No 13 s 37
am 1996 No 73 sch; 1998 No 54 sch
sub 2001 No 44 amdt 1.531

Dictionary

dict ins A2005-52 amdt 1.72
def **chairperson** ins 1988 No 82 s 3
sub 1992 No 74 s 6; 1994 No 13 s 5; 1996 No 73 s 5
reloc from s 3 A2005-52 amdt 1.49
def **council** ins 1992 No 74 s 6
reloc from s 3 A2005-52 amdt 1.49
def **deputy chairperson** ins 1988 No 82 s 3
sub 1992 No 74 s 6; 1994 No 13 s 5; 1996 No 73 s 5
reloc from s 3 A2005-52 amdt 1.49
def **director** ins A2005-52 amdt 1.72

def **institute** sub 1992 No 74 s 6
 reloc from s 3 A2005-52 amdt 1.49
 def **member** ins 1988 No 82 s 3
 sub 1992 No 74 s 6
 reloc from s 3 A2005-52 amdt 1.49
 def **para-professional training** reloc from s 3 A2005-52
 amdt 1.49
 def **staff** reloc from s 3 A2005-52 amdt 1.49
 def **technical and further education** reloc from s 3 A2005-52
 amdt 1.49

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 1990 No 25	28 February 1991
2	Act 1992 No 23	31 August 1992
3	Act 1992 No 74	28 February 1993
4	Act 1994 No 13	6 May 1994
5	Act 1995 No 56	1 January 1996
6	Act 1997 No 11	10 June 1997
7	Act 1998 No 54	31 January 1999
8	A2001-44	10 July 2002

Endnotes

6 Renumbered provisions

6 Renumbered provisions

This Act was renumbered under the *Legislation Act 2001*, in R8 (see *Canberra Institute of Technology (Amendment) Act 1994* A1994-13 s 37). Details of renumbered provisions are shown in endnote 4 (Amendment history). For a table showing the renumbered provisions, see R8.

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