



Australian Capital Territory

# **Canberra Institute of Technology Act 1987**

**A1987-71**

**Republication No 20**

**Effective: 2 July 2016 – 31 August 2016**

Republication date: 2 July 2016

Last amendment made by [A2014-55](#)  
(republication for expiry of transitional provisions (pt 11))

Authorised by the ACT Parliamentary Counsel

## 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 2 July 2016. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 2 July 2016.

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](http://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 does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Canberra Institute of Technology Act 1987

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Australian Capital Territory

# Canberra Institute of Technology Act 1987

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An Act to establish the Canberra Institute of Technology

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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.

### 4 Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

*Note 1* *Criminal Code*

The [Criminal Code](#), ch 2 applies to all offences against this Act (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2* *Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.



## **Part 2**                      **Canberra Institute of Technology**

### **Division 2.1**                **Establishment and functions of institute**

*Note*        The governance of territory authorities, including the Canberra Institute of Technology, 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, the make-up of governing boards, the responsibilities of the governing board and board members, how governing board positions can be ended, meetings of governing boards and conflicts of interest.

#### **5**                      **Establishment of institute**

The Canberra Institute of Technology (the *institute*) is established.

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

#### **6**                      **Functions of institute**

- (1) The institute has the following functions:
  - (a) to conduct an educational institution to provide excellence in study in the fields of vocational education and training and higher education that—
    - (i) the institute board, with the Minister’s written approval, decides; or
    - (ii) the Minister directs;
  - (b) to provide educational products and services, and use the facilities and resources of the institute, to advance and develop knowledge and skills in the community;
  - (c) to support ACT industry and business in pursuing economic growth and sustainability for the community;

- (d) to perform the role of public provider of vocational education and training in the ACT;
  - (e) to issue awards to people who have satisfactorily completed a course of study at the institute;
  - (f) to issue awards posthumously and to issue honorary awards;
  - (g) to consult and cooperate with other entities and businesses to promote education and training and employment pathways for learners;
  - (h) to make suitable financial arrangements with industry and business for the purpose of the institute's functions under paragraphs (a) to (e).
- (2) The institute may exercise any other function given to it under this Act or another territory law.

*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*).

## **7 Ministerial directions**

- (1) The Minister may give a direction to the institute in relation to the exercise of the institute's functions.
- (2) The institute must comply with any direction of the Minister.
- (3) A direction is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

- (4) If the Minister gives the institute a direction under this section, a copy of the direction must be presented to the Legislative Assembly within 5 sitting days after the day the direction is given.

## **8 Delegation by institute**

The institute may delegate the institute's functions to—

- (a) the chief executive officer; or
- (b) a member of the staff of the institute.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

## **Division 2.2 Institute board**

### **9 Establishment of institute board**

The governing board of the institute (the *institute board*) is established.

*Note* An appointment of an institute board member is an appointment under this section (see [Financial Management Act 1996](#), s 78 (7) (b)).

### **10 Institute board members**

- (1) The institute board has at least 9, but not more than 11, members.
- (2) The institute board must include the following members:

- (a) a chair;

*Note 1* The chair of the institute board must be appointed under the [Financial Management Act 1996](#), s 79.

*Note 2* The chair must be one of the non-elected members of the board (see s 12).

- (b) the chief executive officer;

*Note* The chief executive officer is a member of the institute board (see [Financial Management Act 1996](#), s 80 (4)).

- (c) 1 member of the staff of the institute (the *staff member*);
- (d) 1 student at the institute (the *student member*);

- (e) 1 member who is a public servant in the administrative unit responsible for education and training;
- (f) 1 member who is a public servant in the administrative unit responsible for economic development;
- (g) at least 4, but not more than 6, other members (the *non-elected members*).

## 11            Institute board members—eligibility for appointment

- (1) The Minister may appoint a person as the staff member only if the person—
  - (a) is a member of the staff of the institute; and
  - (b) has been nominated by the members of staff of the institute to represent the staff on the institute board.
- (2) The Minister may appoint a person as the student member only if the person—
  - (a) is a student at the institute; and
  - (b) has been nominated by the students at the institute to represent the students on the institute board.
- (3) The *Financial Management Act 1996*, section 78 (5) does not apply to the appointment of a member.
- (4) However, the Minister may not appoint a person who is a public servant as a non-elected member of the institute board if the number of members who are public servants would exceed 4.
- (5) In appointing the members of the institute board, the Minister must ensure that—
  - (a) at least 2 non-elected members have expertise and knowledge of industry and business; and

- (b) as far as practicable expertise and knowledge in the following areas are represented among the members generally:
  - (i) vocational education and training and digital learning;
  - (ii) social policy issues including access, equity and diversity issues;
  - (iii) finance;
  - (iv) governance, human resources, risk management or the law.

## **12 Chair and deputy chair—eligibility for appointment**

The Minister may appoint a person as the chair or the deputy chair of the institute board only if the person—

- (a) is a non-elected member; and
- (b) has expertise and knowledge of industry and business.

*Note* The chair and deputy chair of the institute board must be appointed under the [Financial Management Act 1996](#), s 79.

## **Part 3 Admission to courses and issuing awards**

### **13 Decisions on admission to institute**

- (1) The institute may admit a person to—
  - (a) a course of study or instruction of the institute; or
  - (b) an assessment by the institute.
- (2) In deciding whether to admit a person under subsection (1), the institute must consider any rules or procedures of the institute board for admission to the institute.

### **14 Decisions on issuing awards**

- (1) The institute may issue an award to a person who has completed a course of study at the institute.
- (2) In deciding whether to issue an award to a person under subsection (1), the institute must consider any rules or procedures of the institute board for issuing awards.

## Part 4                      Staff and consultants

### 15                      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 the powers of the head of service in relation to the appointment, engagement and employment of instrumentality staff to be employed under the Act. Under that Act, dict, def *chief executive officer*, the chief executive officer of an instrumentality is the person who has responsibility for managing its affairs.

### 16                      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.

## Part 5 Finance

### 17 Trust money

The institute must pay trust money into a banking account kept under the *Financial Management Act 1996*, section 57.

*Note* Trustees also have a number of powers and duties under both the common law and statute law.

### 18 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.

### 19 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 6 Notification and review of decisions

### 20 Meaning of *reviewable decision*—pt 9

In this part:

*reviewable decision* means a decision mentioned in table 20, column 3, under a provision of this Act mentioned in column 2 in relation to the decision.

**Table 20 Reviewable decisions**

column 1 item	column 2 section	column 3 decision	column 4 entity
1	13 (1) (a)	refuse to admit person to course of study or instruction of institute	person refused admission
2	13 (1) (b)	refuse to admit person to assessment by institute	person refused assessment
3	14 (1)	refuse to issue award to person	person refused award

### 21 Reviewable decision notices

If the institute makes a reviewable decision, the institute must give a reviewable decision notice to each entity mentioned in table 20, column 4 in relation to the decision.

*Note 1* The institute must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see [ACT Civil and Administrative Tribunal Act 2008](#), s 67A).

*Note 2* The requirements for reviewable decision notices are prescribed under the [ACT Civil and Administrative Tribunal Act 2008](#).

## 22 Applications for review

The following may apply to the ACAT for review of a reviewable decision:

- (a) an entity mentioned in table 20, column 4 in relation to the decision;
- (b) any other person whose interests are affected by the decision.

*Note* If a form is approved under the [ACT Civil and Administrative Tribunal Act 2008](#) for the application, the form must be used.

## Part 7                      Miscellaneous

### 23                      Offences—use or divulge protected information

- (1) A person to whom this section applies commits an offence if—
- (a) the person uses information; and
  - (b) the information is protected information about someone else; and
  - (c) the person is reckless about whether the information is protected information about someone else.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) A person to whom this section applies commits an offence if—
- (a) the person does something that divulges information; and
  - (b) the information is protected information about someone else; and
  - (c) the person is reckless about whether—
    - (i) the information is protected information about someone else; and
    - (ii) doing the thing would result in the information being divulged to someone else.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) Subsections (1) and (2) do not apply if the information is used or divulged—
- (a) under this Act or another territory law; or

(b) in relation to the exercise of a function, as a person to whom this section applies, under this Act or another territory law; or

(c) in a court proceeding.

(4) Subsections (1) and (2) do not apply to the using or divulging of protected information about a person with the person's consent.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) and s (4) (see [Criminal Code](#), s 58).

(5) A person to whom this section applies need not divulge protected information to a court, or produce a document containing protected information to a court, unless it is necessary to do so for this Act or another law applying in the territory.

(6) In this section:

***court*** includes a tribunal, authority or person having power to require the production of documents or the answering of questions.

***divulge*** includes—

(a) communicate; or

(b) publish.

***person to whom this section applies*** means—

(a) a person who is or has been a member of the institute board; or

(b) anyone else who has exercised a function under this Act.

***produce*** includes allow access to.

***protected information*** means information about a person that is disclosed to, or obtained by, a person to whom this section applies because of the exercise of a function under this Act by the person or someone else.

**Example—protected information**

information obtained by the institute about an applicant for admission to a course of study at the institute

*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).

***use information*** includes make a record of the information.

*Note* The *Crimes Act 1900*, s 153 also deals with disclosure of information by public employees or people performing services for the Territory or a territory authority. This section applies to members of the institute board and anyone else who has exercised a function under this Act.

## 24 Ministerial guidelines about fees

- (1) The Minister may make guidelines in relation to fees that may be charged by the institute for educational products and services it provides that are wholly or partly funded by the Territory.
- (2) A guideline is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## 25 Determination of rules and procedures

- (1) The institute may determine rules and procedures for this Act, including—
  - (a) rules for admission to a course of study or instruction of the institute; and

- (b) rules for admission to assessment by the institute; and
- (c) procedures for seeking an internal review of a decision of the institute about conferring an award.

*Note* Power to make a statutory instrument includes power to amend or repeal the instrument. The power to amend or repeal the instrument is exercisable in the same way, and subject to the same conditions, as the power to make the instrument (see [Legislation Act](#), s 46).

- (2) A determination is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **26 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.

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## 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:

- ACAT
- bankrupt or personally insolvent
- calendar year
- corporation
- entity
- establish
- exercise
- reviewable decision notice.

**AQF** means the Australian Qualifications Framework under the [National Vocational Education and Training Regulator Act 2011](#) (Cwlth), section 3.

**chair** means the chair of the institute board appointed by the Minister under the [Financial Management Act 1996](#), section 79.

**chief executive officer** means the chief executive officer of the institute.

**deputy chair** means the deputy chair of the institute board appointed by the Minister under the [Financial Management Act 1996](#), section 79.

**higher education** means education in relation to which a higher education award, within the meaning of the [Tertiary Education Quality and Standards Agency Act 2011](#) (Cwlth), may be issued.

**institute**—see section 5.

**institute board**—see section 9.

**non-elected member**, of the institute board—see section 10 (2) (g).

**reviewable decision**, for part 6 (Notification and review of decisions)—see section 20.

**staff**, in relation to the institute, means people employed by the institute under section 15.

**staff member**, of the institute board—see section 10 (2) (c).

**student member**, of the institute board—see section 10 (2) (d).

**vocational education and training** means the education and training and qualifications and statements of attainment under the vocational education and training provisions of the Australian Qualifications Framework (**AQF**).



## 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 are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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

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

## Endnotes

3 Legislation history

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### 3 Legislation history

This Act was originally a Commonwealth ordinance—the *A.C.T. Institute of Technical and Further Education 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* A1989-21, s 5 on 11 May 1989 (self-government day). It was later 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 A1987-71**

notified 22 December 1987 (Cwlth Gaz 1987 No S353)

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

as amended by

##### **ACT Institute of Technical and Further Education (Amendment) Ordinance 1988 Ord1988-82**

notified 21 December 1988 (Cwlth Gaz 1988 No GN48)

commenced 21 December 1988

##### **Self-Government (Consequential Amendments) Ordinance 1989 Ord1989-38 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)

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**Legislation after becoming Territory enactment****Statutory Authorities (Audit Arrangements) Act 1990 A1990-25 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 A1991-53  
pt 2 div 1**notified 2 October 1991 ([Gaz 1991 No S98](#))

commenced 2 October 1991

**ACT Institute of Technical and Further Education (Amendment)  
Act 1992 A1992-11**notified 2 June 1992 ([Gaz 1992 No S62](#))

commenced 2 June 1992

**Statute Law Revision (Miscellaneous Provisions) Act 1992 A1992-23  
sch 1**notified 4 June 1992 ([Gaz 1992 No S71](#))

commenced 4 June 1992

**Canberra Institute of Technology (Amendment) Act 1992 A1992-74**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 A1994-13**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 A1994-38 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](#))

## Endnotes

3 Legislation history

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### **Administrative Appeals (Consequential Amendments) Act 1994 A1994-60 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 A1995-38 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 A1995-46 sch**

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

### **Remuneration Tribunal (Consequential and Transitional Provisions) Act 1995 A1995-56 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 A1996-26 sch pt 3**

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

### **Canberra Institute of Technology (Amendment) Act 1996 A1996-73**

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 A1997-11**

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 A1997-88 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](#))

**Financial Management (Amendment) Act (No 2) 1997 A1997-102 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 A1998-54 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 A2001-44 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))

**Statute Law Amendment Act 2006 A2006-42 sch 3 pt 3.3**

notified LR 26 October 2006  
s 1, s 2 taken to have commenced 12 November 2005 (LA s 75 (2))  
sch 3 pt 3.3 commenced 16 November 2006 (s 2 (1))

**Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.15**

notified LR 22 March 2007  
s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))  
sch 3 pt 3.15 commenced 12 April 2007 (s 2 (1))

**Training and Tertiary Education Legislation Amendment Act 2007 A2007-12 sch 1 pt 1.5**

notified LR 13 June 2007  
s 1, s 2 commenced 13 June 2007 (LA s 75 (1))  
sch 1 pt 1.5 commenced 1 July 2007 (s 2 and [CN2007-3](#))

**Training and Tertiary Education Legislation Amendment Act 2007 A2007-12 sch 1 pt 1.5**

notified LR 13 June 2007  
s 1, s 2 commenced 13 June 2007 (LA s 75 (1))  
remainder commenced 1 July 2007 (s 2 and [CN2007-3](#))

## Endnotes

3 Legislation history

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**Canberra Institute of Technology Amendment Act 2007 A2007-32**

notified LR 24 October 2007  
s 1, s 2 commenced 24 October 2007 (LA s 75 (1))  
remainder commenced 25 October 2007 (s 2)

**Statute Law Amendment Act 2008 A2008-28 sch 3 pt 3.9**

notified LR 12 August 2008  
s 1, s 2 commenced 12 August 2008 (LA s 75 (1))  
sch 3 pt 3.9 commenced 26 August 2008 (s 2)

**ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2) A2008-37 sch 1 pt 1.15**

notified LR 4 September 2008  
s 1, s 2 commenced 4 September 2008 (LA s 75 (1))  
sch 1 pt 1.15 commenced 2 February 2009 (s 2 (1) and see [ACT Civil and Administrative Tribunal Act 2008 A2008-35](#), s 2 (1) and [CN2009-2](#))

**Statute Law Amendment Act 2011 A2011-3 sch 1 pt 1.1**

notified LR 22 February 2011  
s 1, s 2 commenced 22 February 2011 (LA s 75 (1))  
sch 1 pt 1.1 commenced 1 March 2011 (s 2)

**Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.20**

notified LR 30 June 2011  
s 1, s 2 commenced 30 June 2011 (LA s 75 (1))  
sch 1 pt 1.20 commenced 1 July 2011 (s 2 (1))

**Statute Law Amendment Act 2012 A2012-21 sch 3 pt 3.2**

notified LR 22 May 2012  
s 1, s 2 commenced 22 May 2012 (LA s 75 (1))  
sch 3 pt 3.2 commenced 5 June 2012 (s 2 (1))

**Canberra Institute of Technology Amendment Act 2014 A2014-55**

notified LR 3 December 2014  
s 1, s 2 commenced 3 December 2014 (LA s 75 (1))  
remainder commenced 1 July 2015 (s 2 (2))

## 4 Amendment history

### Long title

long title am [A1992-74](#) s 4; [A1994-13](#) s 4; [A1996-73](#) s 4

### Name of Act

s 1 am [A1992-74](#) s 5

### Dictionary

s 2 om [A2001-44](#) amdt 1.524  
ins [A2005-52](#) amdt 1.50

### Notes

s 3 am [A1994-13](#) s 5; [A1995-46](#) sch; [A1996-73](#) s 5  
defs reloc to dict [A2005-52](#) amdt 1.49  
sub [A2005-52](#) amdt 1.50  
def **academic board** ins [A1994-13](#) s 5  
om [A1996-73](#) s 5  
def **appoint** om [A2005-52](#) amdt 1.48  
def **committee** ins [Ord1988-82](#) s 3  
om [A1992-74](#) s 6  
def **dean** ins [A1994-13](#) s 5  
om [A1996-73](#) s 5  
def **director** sub [A1994-13](#) s 5  
om [A2005-52](#) amdt 1.48  
def **hotel school** ins [A1994-13](#) s 5  
om [A1996-73](#) s 5  
def **institution** ins [A1994-13](#) s 5  
om [A1996-73](#) s 5  
def **joint venture** om [A2005-52](#) amdt 1.48  
def **management advisory board** ins [A1994-13](#) s 5  
om [A1996-73](#) s 5  
def **securities** om [A2005-52](#) amdt 1.48  
def **share** om [A2005-52](#) amdt 1.48

### Offences against Act—application of Criminal Code etc

s 3A renum as s 4

### Offences against Act—application of Criminal Code etc

s 4 **orig** s 4  
renum as s 5  
**pres** s 4  
(prev s 3A) ins [A2014-55](#) s 4  
renum as s 4 [A2014-55](#) s 34

### Canberra Institute of Technology

pt 2 hdg sub [A1992-74](#) s 7; [A1994-13](#) s 6; [A1996-73](#) s 6; [A2005-52](#)  
amdt 1.51; [A2014-55](#) s 5

## Endnotes

### 4 Amendment history

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#### **Establishment and functions of institute**

div 2.1 hdg **orig div 2.1 hdg**  
(prev pt 2 div 1 hdg) ins [A1994-13](#) s 6  
sub [A1996-73](#) s 6  
renum as div 2.1 hdg R8 LA  
om [A2005-52](#) amdt 1.52  
**pres div 2.1 hdg**  
ins [A2014-55](#) s 5

#### **Establishment of institute**

s 5 hdg (prev s 4 hdg) am [A1996-73](#) notes  
s 5 **orig s 5**  
am [Ord1988-82](#) s 4  
om [A1992-74](#) s 9  
**prev s 5**  
(prev s 6) renum as s 5 and then s 6  
**pres s 5**  
(prev s 4) am [A1992-74](#) s 8  
sub [A2005-52](#) amdt 1.53  
am [A2014-55](#) s 6  
renum as s 5 [A2014-55](#) s 34

#### **Functions of institute**

s 6 **orig s 6**  
renum as s 5 and then s 6  
**prev s 6**  
(prev s 7) am [Ord1988-82](#) s 6; [Ord1989-38](#) sch 1; [A1992-74](#)  
s 10  
sub [A1994-13](#) s 8  
renum as s 6 [A1994-13](#) s 37  
om [A1996-73](#) s 8  
**prev s 6**  
renum as s 7  
**pres s 6**  
(prev s 6) am [Ord1988-82](#) s 5; [Ord1989-38](#) sch 1; [A1994-13](#)  
s 7  
renum as s 5 [A1994-13](#) s 37  
am [A1996-73](#) s 7; [A2001-44](#) amdt 1.525; ss renum R8 LA (see  
[A2001-44](#) amdt 1.526); pars renum R8 LA; [A2005-52](#)  
amdts 1.54-1.57; [A2006-42](#) amdt 3.5  
sub [A2014-55](#) s 7  
renum as s 6 [A2014-55](#) s 34



**Ministerial directions**

s 7 hdg (prev s 6 hdg) sub [A2014-55](#) s 8  
s 7 **orig s 7**  
renum as s 6  
**prev s 7**  
(prev s 7A) ins [A1994-13](#) s 8  
renum as s 7 [A1994-13](#) s 37  
om [A1996-73](#) s 8  
**prev s 7**  
renum as s 8  
**pres s 7**  
(prev s 6) ins [A2005-52](#) amdt 1.58  
am [A2006-42](#) amdt 3.6, amdt 3.7; [A2014-55](#) s 9  
renum as s 7 [A2014-55](#) s 34

**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 and then s 10

**Delegation by institute**

s 8 **orig s 8**  
renum as s 10  
**prev s 8**  
(prev s 7B) ins [A1994-13](#) s 8  
renum as s 8 [A1994-13](#) s 37  
om [A1996-73](#) s 8  
**prev s 8**  
renum as s 9  
**pres s 8**  
(prev s 7) ins [A2014-55](#) s 10  
renum as s 8 [A2014-55](#) s 34

**Australian International Hotel School**

pt 2 div 2 hdg ins [A1994-13](#) s 8  
om [A1996-73](#) s 8

**Institute board**

div 2.2 hdg ins [A2014-55](#) s 11

## Endnotes

### 4 Amendment history

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#### **Establishment of institute board**

s 9                    **orig s 9**  
renum as s 11  
**prev s 9**  
(prev s 7C) renum as s 9 and then s 10  
**pres s 9**  
(prev s 8) ins [A2014-55](#) s 11  
renum as s 9 [A2014-55](#) s 34

#### **Institute board members**

s 10                   **orig s 10**  
renum as s 12  
**prev s 10**  
(prev s 8) am [Ord1989-38](#) sch 1; [A1994-13](#) s 9  
renum as s 10 [A1994-13](#) s 37  
am [A1996-26](#) sch pt 3; [A1996-73](#) sch  
om [A2005-52](#) amdt 1.59  
**prev s 10**  
renum as s 11  
**pres s 10**  
(prev s 7C) ins [A1994-13](#) s 8  
renum as s 9 [A1994-13](#) s 37  
am [A1994-38](#) sch 1 pt 11; [A1996-73](#) s 9, sch; ss renum R8 LA  
sub [A2005-52](#) amdt 1.59; [A2014-55](#) s 11  
renum as s 10 [A2014-55](#) s 34

#### **Review of opinions**

s 10A                renum as s 13

#### **Institute board members—eligibility for appointment**

s 11                   **orig s 11**  
renum as s 14  
**prev s 11**  
(prev s 9) am [Ord1989-38](#) sch 1; [A1994-13](#) s 10  
renum as s 11 [A1994-13](#) s 37  
am [A1996-73](#) sch  
om [A2005-52](#) amdt 1.59  
**prev s 11**  
renum as s 12  
**pres s 11**  
(prev s 10) ins [A2014-55](#) s 11  
renum as s 11 [A2014-55](#) s 34

**Chair and deputy chair—eligibility for appointment**

s 12                    **orig s 12**  
renum as s 15  
**prev s 12**  
(prev s 10) am [Ord1989-38](#) sch 1; [A1994-13](#) s 11  
renum as s 12 [A1994-13](#) s 37  
am [A1996-73](#) sch  
om [A2005-52](#) amdt 1.59  
**prev s 12**  
renum as s 13  
**pres s 12**  
(prev s 11) ins [A2014-55](#) s 11  
renum as s 12 [A2014-55](#) s 34

**Powers and limitations**

div 2.3 hdg            (prev pt 2 div 3 hdg) ins [A1994-13](#) s 8  
am [A1996-73](#) sch  
renum as div 2.3 hdg R8 LA  
om [A2005-52](#) amdt 1.59

**Admission to courses and issuing awards**

pt 3 hdg                am [Ord1988-82](#) s 8  
sub [A1992-74](#) s 11  
am [A1994-13](#) s 12  
sub [A2005-52](#) amdt 1.60; [A2014-55](#) s 12

**Decisions on admission to institute**

s 13                    **orig s 13**  
renum as s 16  
**prev s 13**  
(prev s 10A) ins [Ord1988-82](#) s 7  
renum as s 13 [A1994-13](#) s 37  
om [A2005-52](#) amdt 1.59  
**prev s 13**  
renum as s 14  
**pres s 13**  
(prev s 12) ins [A2014-55](#) s 12  
renum as s 13 [A2014-55](#) s 34

**Powers of director in relation to hotel school**

s 13A                    renum as s 17

## Endnotes

### 4 Amendment history

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#### **Decisions on issuing awards**

s 14

#### **orig s 14**

renum as s 18

#### **prev s 14**

(prev s 11) am [Ord1988-82](#) s 9; [A1994-13](#) s 13

renum as s 14 [A1994-13](#) s 37

am [A1996-73](#) s 10; [A1997-11](#) s 4

sub [A2005-52](#) amdt 1.60

om [A2014-55](#) s 12

#### **pres s 14**

(prev s 13) ins [A2014-55](#) s 12

renum as s 14 [A2014-55](#) s 34

#### **Dean of hotel school**

pt 3A hdg

renum as pt 4

#### **Council of institute**

pt 3B hdg

renum as pt 5

#### **Management advisory board and academic board**

pt 3C hdg

renum as pt 6 hdg

#### **Staff**

pt 3D hdg

renum as pt 7 hdg and then pt 4 hdg

#### **Staff and consultants**

pt 4 hdg

#### **orig pt 4 hdg**

renum as pt 8 hdg and then pt 5 hdg

#### **prev pt 4 hdg**

(prev pt IIIA hdg) ins [A1994-13](#) s 18

renum as pt 4 hdg [A1994-13](#) s 37

om [A1996-73](#) s 13

#### **pres pt 4 hdg**

(prev pt IIID hdg) ins [A1994-13](#) s 20

renum as pt 7 hdg [A1994-13](#) s 37

am [A1996-73](#) sch

sub [A2005-52](#) amdt 1.67

renum as pt 4 hdg [A2014-55](#) s 34

**Staff of institute**

s 15 hdg  
s 15

(prev s 49 hdg) sub [A1996-73](#) notes

**orig s 15**

renum as s 19

**prev s 15**

(prev s 12) am [Ord1988-82](#) s 10; [A1992-74](#) s 17; [A1994-13](#) s 14

renum as s 15 [A1994-13](#) s 37

am [A1996-73](#) s 11; ss renum R8 LA

sub [A2005-52](#) amdt 1.60

am [A2011-3](#) amdt 1.1

om [A2014-55](#) s 12

**pres s 15**

(prev s 19) am [Ord1989-38](#) sch 1

renum as s 49 [A1994-13](#) s 37

sub [A1994-38](#) sch 1 pt 11; [A2005-52](#) amdt 1.68

am [A2007-3](#) amdt 3.65; [A2011-22](#) amdt 1.70; [A2012-21](#) amdt 3.5

renum as s 15 [A2014-55](#) s 34

**Consultants of institute**

s 16

**orig s 16**

renum as s 20

**prev s 16**

(prev s 13) am [Ord1988-82](#) s 11; [A1991-53](#) s 2; [A1994-13](#) s 15

renum as s 16 [A1994-13](#) s 37

am [A1996-26](#) sch pt 3; [A2001-44](#) amdt 1.527, amdt 1.528;

pars renum R8 LA

sub [A2005-52](#) amdt 1.60

om [A2014-55](#) s 12

**pres s 16**

(prev s 19AA) ins [A1994-13](#) s 21

renum as s 50 [A1994-13](#) s 37

om [A1996-73](#) s 16

ins [A2005-52](#) amdt 1.68

renum as s 16 [A2014-55](#) s 34

**Termination of appointment**

s 16A

renum as s 21

## Endnotes

### 4 Amendment history

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#### **Finance**

pt 5 hdg

#### **orig pt 5 hdg**

renum as pt 9 hdg and then pt 10 hdg and then pt 7 hdg

#### **prev pt 5 hdg**

(prev pt IIIB hdg) ins [A1994-13](#) s 18

renum as pt 5 hdg [A1994-13](#) s 37

om [A2014-55](#) s 12

#### **pres pt 5 hdg**

(prev pt 4 hdg) renum as pt 8 hdg [A1994-13](#) s 37

renum as pt 5 hdg [A2014-55](#) s 34

#### **Trust money**

s 17 hdg

s 17

(prev s 58 hdg) sub [A2014-55](#) s 14

#### **orig s 17**

renum as s 22

#### **prev s 17**

(prev s 13A) ins [A1994-13](#) s 16

renum as s 17 [A1994-13](#) s 37

om [A1996-73](#) s 12

ins [A2005-52](#) amdt 1.60

om [A2014-55](#) s 12

#### **pres s 17**

(prev s 30) sub [A1994-13](#) s 30

renum as s 58 [A1994-13](#) s 37

am [A1996-26](#) sch pt 3; [A1996-73](#) s 20, sch; [A1997-88](#) sch;

ss renum R8 LA; [A2005-52](#) amdt 1.70; [A2014-55](#) s 15, s 16

renum as s 17 [A2014-55](#) s 34

#### **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

**Exemption from taxation**

s 18                    **orig s 18**  
                          renum as s 28  
                          **prev s 18**  
                          (prev s 14) am [A1994-13](#) s 17  
                          renum as s 18 [A1994-13](#) s 37  
                          om [A1995-56](#) sch  
                          ins [A2005-52](#) amdt 1.60  
                          om [A2014-55](#) s 12  
                          **pres s 18**  
                          (prev s 31) am [A1994-13](#) s 31  
                          renum as s 59 [A1994-13](#) s 37  
                          am [A1996-73](#) s 21, sch  
                          renum as s 18 [A2014-55](#) s 34

**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

**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

## Endnotes

### 4 Amendment history

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#### **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

#### **Application of Financial Management Act, pt 8**

s 19 **orig s 19**  
renum as s 49 and then s 15  
**prev s 19**  
(prev s 15) am [Ord1988-82](#) s 12  
renum as s 19 [A1994-13](#) s 37  
om [A1997-11](#) s 5  
ins [A2005-52](#) amdt 1.60  
om [A2014-55](#) s 12  
**pres s 19**  
(prev s 31A) ins [A1990-25](#) s 18  
am [A1994-13](#) s 32  
renum as s 60 [A1994-13](#) s 37  
sub [A1996-26](#) sch pt 3  
am [A1996-73](#) s 22  
renum as s 19 [A2014-55](#) s 34

#### **Staff of hotel school**

s 19AA renum as s 50 and then s 16

#### **Personnel management**

s 19A renum as s 51



**Notification and review of decisions**

pt 6 hdg **orig pt 6 hdg**  
 (prev pt IIIC hdg) ins [A1994-13](#) s 20  
 renum as pt 6 hdg [A1994-13](#) s 37  
 om [A1996-73](#) s 15  
**pres pt 6 hdg**  
 (prev pt 9 hdg) ins [A2007-32](#) s 6  
 sub [A2008-37](#) amdt 1.52  
 renum as pt 6 hdg [A2014-55](#) s 34

**Management advisory board**

pt 6 div 1 hdg ins [A1994-13](#) s 20  
 om [A1996-73](#) s 15

**Academic board**

pt 6 div 2 hdg ins [A1994-13](#) s 20  
 om [A1996-73](#) s 15

**Meaning of *reviewable decision*—pt 9**

s 20 hdg **prev s 20 hdg**  
 (prev s 16 hdg) am [A1996-73](#) notes  
**pres s 20 hdg**  
 (prev s 31B hdg) am [A1992-74](#) s 16  
 s 20 **orig s 20**  
 renum as s 52  
**prev s 20**  
 (prev s 16) renum as s 20 [A1994-13](#) s 37  
 om [A1997-11](#) s 5  
 ins [A2005-52](#) amdt 1.60  
 om [A2014-55](#) s 12  
**pres s 20**  
 (prev s 31B) ins [A1990-25](#) s 18  
 am [A1992-74](#) s 16; [A1994-13](#) s 33  
 renum as s 61 [A1994-13](#) s 37  
 om [A1996-26](#) sch pt 3  
 ins [A2007-32](#) s 6  
 sub [A2008-37](#) amdt 1.52  
 am [A2014-55](#) s 17  
 renum as s 20 [A2014-55](#) s 34

## Endnotes

### 4 Amendment history

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#### Reviewable decision notices

s 21                    **orig s 21**  
renum as s 53  
**prev s 21**  
(prev s 16A) ins [Ord1988-82](#) s 13  
renum as s 21 [A1994-13](#) s 37  
om [A1997-11](#) s 5  
**pres s 21**  
(prev s 62) ins [A2007-32](#) s 6  
sub [A2008-37](#) amdt 1.52  
am [A2014-55](#) s 18  
renum as s 21 [A2014-55](#) s 34

#### Applications for review

s 22                    **orig s 22**  
renum as s 54  
**prev s 22**  
(prev s 17) am [Ord1988-82](#) s 14  
renum as s 22 [A1994-13](#) s 37  
sub [A1997-11](#) s 5  
om [A2005-52](#) amdt 1.60  
**pres s 22**  
(prev s 63) ins [A2007-32](#) s 6  
sub [A2008-37](#) amdt 1.52  
renum as s 22 [A2014-55](#) s 34

#### Miscellaneous

pt 7 hdg              **orig pt 7 hdg**  
renum as pt 4 hdg  
**pres pt 7 hdg**  
(prev pt 5 hdg) renum as pt 9 hdg [A1994-13](#) s 37  
renum as pt 10 hdg [A2007-32](#) s 7  
renum as pt 7 hdg [A2014-55](#) s 34

#### Offences—use or divulge protected information

s 23                    **orig s 23**  
renum as s 55  
**prev s 23**  
(prev s 17A) ins [A1994-13](#) s 18  
renum as s 23 [A1994-13](#) s 37  
om [A1996-73](#) s 13  
**pres s 23**  
(prev s 32) renum as s 62 [A1994-13](#) s 37  
sub [A2005-52](#) amdt 1.71  
renum as s 64 [A2007-32](#) s 8  
sub [A2014-55](#) s 19  
renum as s 23 [A2014-55](#) s 34

**Ministerial guidelines about fees**

s 24                    **orig s 24**  
renum as s 56  
**prev s 24**  
(prev s 17B) ins [A1994-13](#) s 18  
renum as s 24 [A1994-13](#) s 37  
om [A1996-73](#) s 13  
**pres s 24**  
(prev s 64A) ins [A2014-55](#) s 19  
renum as s 24 [A2014-55](#) s 34

**Determination of rules and procedures**

s 25                    **orig s 25**  
sub [Ord1989-38](#) sch 1  
om [A1994-13](#) s 28  
**prev s 25**  
(prev s 17C) ins [A1994-13](#) s 18  
renum as s 25 [A1994-13](#) s 37  
om [A1996-73](#) s 13  
**pres s 25**  
(prev s 64B) ins [A2014-55](#) s 19  
renum as s 25 [A2014-55](#) s 34

**Regulation-making power**

s 26                    **orig s 26**  
om [Ord1989-38](#) sch 1  
**prev s 26**  
(prev s 17D) ins [A1994-13](#) s 18  
renum as s 26 [A1994-13](#) s 37  
am [A1996-26](#) sch pt 3  
om [A1996-73](#) s 13  
**pres s 26**  
(prev s 35) am [Ord1988-82](#) s 21; [Ord1989-38](#) sch 1; [A1994-13](#)  
s 36  
renum as s 65 [A1994-13](#) s 37  
am [A1996-73](#) sch; [A1998-54](#) sch  
sub [A2001-44](#) amdt 1.531  
renum as s 26 [A2014-55](#) s 34

**Acting dean**

s 27                    **orig s 27**  
om [Ord1989-38](#) sch 1  
**prev s 27**  
(prev s 17E) ins [A1994-13](#) s 18  
renum as s 27 [A1994-13](#) s 37  
om [A1996-73](#) s 13

## Endnotes

### 4 Amendment history

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#### **Establishment of council**

s 28 **orig s 28**  
renum as s 57  
**prev s 28**  
(prev s 18) sub [Ord1988-82](#) s 15  
am [A1992-74](#) s 12  
renum as s 28 [A1994-13](#) s 37  
om [A2014-55](#) s 12

#### **Function and powers of council**

s 29 hdg **orig s 29 hdg**  
om [Ord1989-38](#) sch 1  
**prev s 29 hdg**  
(prev s 18A hdg) sub [A1992-74](#) notes

s 29 **orig s 29**  
om [Ord1989-38](#) sch 1  
**prev s 29**  
(prev s 18A) ins [Ord1988-82](#) s 15  
am [A1992-74](#) s 17  
renum as s 29 [A1994-13](#) s 37  
am [A2005-52](#) amdt 1.61, amdt 1.62  
om [A2014-55](#) s 12

#### **Council members**

s 30 **orig s 30**  
renum as s 58 and then s 17  
**prev s 30**  
(prev s 18B) ins [Ord1988-82](#) s 15  
am [A1992-74](#) s 13, s 17; [A1994-13](#) s 19  
renum as s 30 [A1994-13](#) s 37  
am [A1995-38](#) s 5; [A1996-73](#) s 14; [A2006-42](#) amdt 3.8;  
[A2007-12](#) amdt 1.8  
sub [A2007-32](#) s 4  
om [A2014-55](#) s 12

#### **Appointment of council members**

s 31 **orig s 31**  
renum as s 59 and then s 18  
**prev s 31**  
(prev s 18C) ins [Ord1988-82](#) s 15  
renum as s 31 [A1994-13](#) s 37  
om [A2005-52](#) amdt 1.63  
ins [A2007-32](#) s 4  
om [A2014-55](#) s 12

#### **Application of Financial Management Act, pt 8**

s 31A renum as s 60 and then s 19

**Financial reporting and audit**

s 31B renum as s 61 and then s 20

**Appointment of chair and deputy chair**

s 32 **orig s 32**  
renum as s 62 and then s 64 and then s 23  
**prev s 32**  
(prev s 18D) renum as s 32 and then s 33  
**pres s 32**  
ins [A2007-32](#) s 4  
om [A2014-55](#) s 12

**Acting members**

s 33 **orig s 33**  
renum as s 63 and then s 22  
**prev s 33**  
(prev s 18E) ins [Ord1988-82](#) s 15  
am [A1992-74](#) s 15  
renum as s 33 [A1994-13](#) s 37  
ss renum R8 LA  
om [A2005-52](#) amdt 1.65  
**prev s 33**  
(prev s 18D) ins [Ord1988-82](#) s 15  
am [A1992-74](#) s 14, s 17  
renum as s 32 [A1994-13](#) s 37  
pars renum R8 LA  
sub [A2005-52](#) amdt 1.64  
renum as s 33 [A2007-32](#) s 5  
am [A2011-3](#) amdt 1.2  
om [A2014-55](#) s 12

**Honesty, care and diligence of council members**

s 34 **orig s 34**  
renum as s 64  
**prev s 34**  
(prev s 18F) ins [Ord1988-82](#) s 15  
am [A1992-74](#) s 17  
renum as s 34 [A1994-13](#) s 37  
sub [A2005-52](#) amdt 1.66  
om [A2014-55](#) s 12

## Endnotes

### 4 Amendment history

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#### **Conflict of interest**

s 35

##### **orig s 35**

renum as s 65 and then s 26

##### **prev s 35**

(prev s 18G) ins [Ord1988-82](#) s 15

am [A1992-74](#) s 17

renum as s 35 [A1994-13](#) s 37

sub [A2005-52](#) amdt 1.66

om [A2014-55](#) s 12

#### **Agenda to require disclosure of interest item**

s 36

##### **orig s 36**

(prev s 18H) ins [A1994-13](#) s 20

renum as s 36 [A1994-13](#) s 37

om [A1996-73](#) s 15

##### **prev s 36**

ins [A2005-52](#) amdt 1.66

om [A2014-55](#) s 12

#### **Disclosure of interests by council members**

s 37

##### **orig s 37**

(prev s 18I) ins [A1994-13](#) s 20

renum as s 37 [A1994-13](#) s 37

om [A1996-73](#) s 15

##### **prev s 37**

ins [A2005-52](#) amdt 1.66

om [A2014-55](#) s 12

#### **Reporting of disclosed interests to Minister**

s 38

##### **orig s 38**

(prev s 18J) ins [A1994-13](#) s 20

renum as s 38 [A1994-13](#) s 37

om [A1996-73](#) s 15

##### **prev s 38**

ins [A2005-52](#) amdt 1.66

am [A2007-32](#) s 13

om [A2014-55](#) s 12

#### **Protection of council members from liability**

s 39

##### **orig s 39**

(prev s 18K) ins [A1994-13](#) s 20

renum as s 39 [A1994-13](#) s 37

om [A1996-73](#) s 15

##### **prev s 39**

ins [A2005-52](#) amdt 1.66

om [A2014-55](#) s 12

**Time and place of council meetings**

s 40 **orig s 40**  
(prev s 18L) ins [A1994-13](#) s 20  
renum as s 40 [A1994-13](#) s 37  
om [A1996-73](#) s 15  
**prev s 40**  
ins [A2005-52](#) amdt 1.66  
am [A2007-32](#) s 13  
om [A2014-55](#) s 12

**Presiding member at meetings**

s 41 **orig s 41**  
(prev s 18M) ins [A1994-13](#) s 20  
renum as s 41 [A1994-13](#) s 37  
om [A1996-73](#) s 15  
**prev s 41**  
ins [A2005-52](#) amdt 1.66  
am [A2007-32](#) s 13  
om [A2014-55](#) s 12

**Quorum at meetings**

s 42 **orig s 42**  
(prev s 18N) ins [A1994-13](#) s 20  
renum as s 42 [A1994-13](#) s 37  
om [A1996-73](#) s 15  
**prev s 42**  
ins [A2005-52](#) amdt 1.66  
om [A2014-55](#) s 12

**Voting at meetings**

s 43 **orig s 43**  
(prev s 18O) ins [A1994-13](#) s 20  
renum as s 43 [A1994-13](#) s 37  
om [A1996-73](#) s 15  
**prev s 43**  
ins [A2005-52](#) amdt 1.66  
om [A2014-55](#) s 12

**Conduct of meetings etc**

s 44 **orig s 44**  
(prev s 18P) ins [A1994-13](#) s 20  
renum as s 44 [A1994-13](#) s 37  
om [A1996-73](#) s 15  
**prev s 44**  
ins [A2005-52](#) amdt 1.66  
am [A2008-28](#) amdt 3.39  
om [A2014-55](#) s 12

## Endnotes

### 4 Amendment history

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#### **Function of academic board**

s 45 (prev s 18Q) ins [A1994-13](#) s 20  
renum as s 45 [A1994-13](#) s 37  
om [A1996-73](#) s 15

#### **Membership of academic board**

s 46 (prev s 18R) ins [A1994-13](#) s 20  
renum as s 46 [A1994-13](#) s 37  
om [A1996-73](#) s 15

#### **Chairperson of academic board**

s 47 (prev s 18S) ins [A1994-13](#) s 20  
renum as s 47 [A1994-13](#) s 37  
om [A1996-73](#) s 15

#### **Procedures of academic board**

s 48 (prev s 18T) ins [A1994-13](#) s 20  
renum as s 48 [A1994-13](#) s 37  
om [A1996-73](#) s 15

#### **Staff of institute**

s 49 renum as s 15

#### **Consultants of institute**

s 50 renum as s 16

#### **Personnel management**

s 51 (prev s 19A) ins [A1992-11](#) s 3  
am [A1994-13](#) s 22  
renum as s 51 [A1994-13](#) s 37  
am [A1994-38](#) sch 1 pt 11; [A1996-73](#) s 17, sch; ss renum R8  
LA  
om [A2006-42](#) amdt 3.9

#### **Finance**

pt 8 hdg renum as pt 5 hdg

#### **Money to be appropriated by Legislative Assembly**

s 52 hdg am [A1994-13](#) s 23  
s 52 (prev s 20) am [Ord1988-82](#) s 16; [Ord1989-38](#) sch 1; [A1994-13](#)  
s 23  
renum as s 52 [A1994-13](#) s 37  
am [A1996-73](#) sch  
om [A1997-102](#) s 15

#### **Fees**

s 53 (prev s 21) am [A1994-13](#) s 24  
renum as s 53 [A1994-13](#) s 37  
am [A1996-73](#) s 18; [A2001-44](#) amdt 1.529, amdt 1.530  
om [A2014-55](#) s 13



**Estimates**

s 54 (prev s 22) am [Ord1988-82](#) s 17; [A1994-13](#) s 25  
renum as s 54 [A1994-13](#) s 37  
om [A1996-26](#) sch pt 3

**Money of institute**

s 55 hdg am [A1996-73](#) notes  
s 55 (prev s 23) am [A1994-13](#) s 26  
renum as s 55 [A1994-13](#) s 37  
am [A1996-73](#) sch  
om [A2005-52](#) amdt 1.69

**Application of money**

s 56 (prev s 24) am [Ord1988-82](#) s 18; [Ord1989-38](#) sch 1; [A1994-13](#)  
s 27  
renum as s 56 [A1994-13](#) s 37  
am [A1996-26](#) sch pt 3; [A1996-73](#) s 19, sch  
om [A2005-52](#) amdt 1.69

**Security**

s 57 (prev s 28) am [Ord1989-38](#) sch 1; [A1994-13](#) s 29  
renum as s 57 [A1994-13](#) s 37  
om [A1996-26](#) sch pt 3

**Trust money**

s 58 renum as s 17

**Exemption from taxation**

s 59 renum as s 18

**Application of Financial Management Act, pt 8**

s 60 renum as s 19

**Notification and review of decisions**

pt 9 hdg **orig pt 9 hdg**  
(prev pt 5 hdg) renum as pt 9 hdg and then pt 10 hdg and then  
pt 7 hdg  
**prev pt 9 hdg**  
renum as pt 6 hdg

**Meaning of *reviewable decision*—pt 9**

s 61 renum as s 20

**Reviewable decision notices**

s 62 **orig s 62**  
(prev s 32) renum as s 62 and then s 64 and then s 23  
**prev s 62**  
renum as s 21

## Endnotes

### 4 Amendment history

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#### Applications for review

s 63                    **orig s 63**  
(prev s 33) am [Ord1988-82](#) s 19; [Ord1989-38](#) sch 1; [A1994-13](#)  
s 34  
renum as s 63 [A1994-13](#) s 37  
am [A1994-60](#) sch 1; [A1996-73](#) s 23; [A2007-3](#) amdt 3.66  
om [A2007-32](#) s 9  
**prev s 63**  
renum as s 22

#### Miscellaneous

pt 10 hdg            renum as pt 7 hdg

#### Offences—use or divulge protected information

s 64                    **orig s 64**  
(prev s 34) am [Ord1988-82](#) s 20; [A1992-23](#) sch 1; [A1994-13](#)  
s 35  
renum as s 64 [A1994-13](#) s 37  
am [A1996-73](#) s 24  
sub [A2007-3](#) amdt 3.67  
om [A2007-32](#) s 9  
**prev s 64**  
renum as s 62 and then s 21  
**prev s 64**  
renum as s 23

#### Ministerial guidelines about fees

s 64A                  renum as s 24

#### Determination of rules and procedures

s 64B                  renum as s 25

#### Regulation-making power

s 65                    renum as s 26

#### Transitional—Canberra Institute of Technology Amendment Act 2014

pt 11 hdg            ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)

#### Definitions—pt 11

s 66                    ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)  
def **commencement day** ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)  
def **director** ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)

#### Director is chief executive officer

s 67                    ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)

**Expiry—pt 11**  
s 68

ins [A2014-55](#) s 20  
exp 1 July 2016 (s 68)

**Dictionary**  
dict

ins [A2005-52](#) amdt 1.72  
am [A2008-37](#) amdt 1.53; [A2011-3](#) amdt 1.3  
def **AQF** ins [A2014-55](#) s 21  
def **chair** ins [A2007-32](#) s 10  
sub [A2014-55](#) s 22  
def **chairperson** ins [Ord1988-82](#) s 3  
sub [A1992-74](#) s 6; [A1994-13](#) s 5; [A1996-73](#) s 5  
reloc from s 3 [A2005-52](#) amdt 1.49  
om [A2007-32](#) s 10  
def **chief executive officer** ins [A2014-55](#) s 23  
def **council** ins [A1992-74](#) s 6  
reloc from s 3 [A2005-52](#) amdt 1.49  
om [A2014-55](#) s 24  
def **deputy chair** ins [A2007-32](#) s 11  
sub [A2014-55](#) s 25  
def **deputy chairperson** ins [Ord1988-82](#) s 3  
sub [A1992-74](#) s 6; [A1994-13](#) s 5; [A1996-73](#) s 5  
reloc from s 3 [A2005-52](#) amdt 1.49  
om [A2007-32](#) s 11  
def **director** ins [A2005-52](#) amdt 1.72  
om [A2014-55](#) s 26  
def **higher education** ins [A2014-55](#) s 27  
def **institute** sub [A1992-74](#) s 6  
reloc from s 3 [A2005-52](#) amdt 1.49  
sub [A2014-55](#) s 28  
def **institute board** ins [A2014-55](#) s 29  
def **member** ins [Ord1988-82](#) s 3  
sub [A1992-74](#) s 6  
reloc from s 3 [A2005-52](#) amdt 1.49  
om [A2014-55](#) s 30  
def **para-professional training** reloc from s 3 [A2005-52](#)  
amdt 1.49  
om [A2014-55](#) s 30  
def **non-elected member** ins [A2014-55](#) s 31  
def **reviewable decision** ins [A2007-32](#) s 12  
sub [A2008-37](#) amdt 1.54  
def **staff** reloc from s 3 [A2005-52](#) amdt 1.49  
def **staff member** ins [A2014-55](#) s 31  
def **student member** ins [A2014-55](#) s 31  
def **technical and further education** reloc from s 3 [A2005-52](#)  
amdt 1.49  
om [A2014-55](#) s 32  
def **vocational education and training** ins [A2014-55](#) s 33

## Endnotes

### 5 Earlier republications

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#### 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	<a href="#">A1990-25</a>	28 February 1991
2	<a href="#">A1992-23</a>	31 August 1992
3	<a href="#">A1992-74</a>	28 February 1993
4	<a href="#">A1994-13</a>	6 May 1994
5	<a href="#">A1995-56</a>	1 January 1996
6	<a href="#">A1997-11</a>	10 June 1997
7	<a href="#">A1998-54</a>	31 January 1999
8	<a href="#">A2001-44</a>	10 July 2002
9	<a href="#">A2005-52</a>	1 January 2006
10	<a href="#">A2006-42</a>	16 November 2006
11	<a href="#">A2007-3</a>	12 April 2007
12	<a href="#">A2007-12</a>	1 July 2007
13	<a href="#">A2007-32</a>	25 October 2007
14	<a href="#">A2008-28</a>	26 August 2008
15	<a href="#">A2008-37</a>	2 February 2009
16	<a href="#">A2011-3</a>	1 March 2011
17	<a href="#">A2011-22</a>	1 July 2011
18	<a href="#">A2012-21</a>	5 June 2012
19 (RI)	<a href="#">A2014-55</a> ≠	3 July 2015

≠ includes textual correction in s 20

## 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. It was also renumbered under the *Legislation Act 2001* in R19 (see *Canberra Institute of Technology Amendment Act 2014* A2014-55 s 34) and the following table:

previous number	provision heading	renumbered or inserted as
<b>part 1</b>	<b>Preliminary</b>	<b>part 1</b>
1	Name of Act	1
2	Dictionary	2
3	Notes	3
3A	Offences against Act—application of Criminal Code etc	4
<b>part 2</b>	<b>Canberra Institute of Technology</b>	<b>part 2</b>
<b>division 2.1</b>	<b>Establishment and functions of institute</b>	<b>division 2.1</b>
4	Establishment of institute	5
5	Functions of institute	6
6	Ministerial directions	7
7	Delegation by institute	8
<b>division 2.2</b>	<b>Institute board</b>	<b>division 2.2</b>
8	Establishment of institute board	9
9	Institute board members	10
10	Institute board members—eligibility for appointment	11
11	Chair and deputy chair—eligibility for appointment	12
<b>part 3</b>	<b>Admission to courses and issuing awards</b>	<b>part 3</b>
12	Decisions on admission to institute	13
13	Decisions on issuing awards	14
<b>part 7</b>	<b>Staff and consultants</b>	<b>part 4</b>
49	Staff of institute	15

## Endnotes

6 Renumbered provisions

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<b>previous number</b>	<b>provision heading</b>	<b>renumbered or inserted as</b>
50	Consultants of institute	16
<b>part 8</b>	<b>Finance</b>	<b>part 5</b>
58	Trust money	17
59	Exemption from taxation	18
60	Application of Financial Management Act, pt 8	19
<b>part 9</b>	<b>Notification and review of decisions</b>	<b>part 6</b>
61	Meaning of reviewable decision—pt 9	20
62	Reviewable decision notices	21
63	Applications for review	22
<b>part 10</b>	<b>Miscellaneous</b>	<b>part 7</b>
64	Offences—use or divulge protected information	23
64A	Ministerial guidelines about fees	24
64B	Determination of rules and procedures	25
65	Regulation-making power	26

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