



Australian Capital Territory

Canberra Institute of Technology Amendment Act 2007

A2007-32

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

Canberra Institute of Technology Amendment Act 2007

A2007-32

An Act to amend the *Canberra Institute of Technology Act 1987*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

J2007-119

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 Name of Act

This Act is the *Canberra Institute of Technology Amendment Act 2007*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

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

4 Section 30

substitute

30 Council members

The council has 12 members.

31 Appointment of council members

- (1) The Minister may appoint the council members.

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 Legislation Act, 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 Minister must ensure that there is always—

- (a) 1 member who represents an organisation that represents the teaching staff; and
- (b) 1 member who represents the student body; and

-
- (c) 7 members who represent the interests of industry and commerce; and
 - (d) 2 members, not representing the interests of industry or commerce, who have experience and knowledge relevant to the functions of the council; and
 - (e) 1 member who has skills in and knowledge of vocational education and training.
- (3) The Minister must not appoint the director as a member.
 - (4) In deciding whether to appoint a person as a member, the Minister must have regard to the desirability of ensuring that there is a balance of skills, expertise and gender among the council members.
 - (5) The Minister must not appoint a member for longer than 3 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*).
 - (6) The conditions of appointment of a member are the conditions agreed between the Minister and the member subject to any determination under the *Remuneration Tribunal Act 1995*.

32 Appointment of chair and deputy chair

- (1) The Minister may appoint a council member as chair of the council and another member as deputy chair of the council.
- (2) However, the Minister must not appoint a member of staff as chair or deputy chair.
- (3) The Minister must try to ensure that the council always has a chair and a deputy chair.

5 Ending council member appointments Section 32

renumber as section 33

6 New part 9

insert

Part 9 Review of decisions

61 Reviewable decisions

Each of the following decisions of the director is a *reviewable decision*:

- (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 19 (c);
- (b) refusing to confer an award (other than an honorary award) on a person under section 19 (d).

62 Review of decisions

Application may be made to the AAT for review of a reviewable decision.

63 Notice of reviewable decisions

- (1) If the director makes a reviewable decision, the director must give written notice of the decision to each person affected by the decision.
- (2) The notice must be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

**7 Miscellaneous
Part 9**

renumber as part 10

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- 8 Delegation by director
Section 62**
renumber as section 64
- 9 Sections 63 and 64**
omit
- 10 Dictionary, definition of *chairperson***
substitute
chair means the chair of the council appointed under section 32.
- 11 Dictionary, definition of *deputy chairperson***
substitute
deputy chair means the deputy chair of the council appointed under section 32.
- 12 Dictionary, new definition of *reviewable decision***
insert
reviewable decision—see section 61.
- 13 Further amendments, mentions of *chairperson***
omit
chairperson
substitute
chair
in
- section 38
 - section 40
 - section 41

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 31 May 2007.

2 Notification

Notified under the Legislation Act on 24 October 2007.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Canberra Institute of Technology Amendment Bill 2007, which was passed by the Legislative Assembly on 18 October 2007.

Clerk of the Legislative Assembly

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