



Australian Capital Territory

# **University of Canberra Act 1989**

**A1989-179**

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## About this republication

### The republished law

This is a republication of the *University of Canberra Act 1989* effective from 10 November 1999 to 11 September 2001.

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Australian Capital Territory  
**UNIVERSITY OF CANBERRA ACT 1989**

As at 10 November 1999

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Australian Capital Territory

## UNIVERSITY OF CANBERRA ACT 1989

An Act to establish the University of Canberra

### PART I—PRELIMINARY

#### 1. Short title

This Act may be cited as the *University of Canberra Act 1989*.<sup>1</sup>

#### 2. Commencement

This Act commences, or is to be treated as having commenced, as the case requires, on 1 January 1990.

#### 3. Interpretation

In this Act, unless the contrary intention appears—

“academic staff” means the persons who are to be regarded as members of the academic staff because of Statutes made under paragraph 40 (2) (d);

“Board” means the Academic Board established by section 19;

“Chancellor” means the Chancellor of the University appointed under section 24;

“Council” means the Council referred to in section 9;

“Deputy Chancellor” means the Deputy Chancellor of the University appointed under section 24A;

“elect” includes re-elect;

“general staff” means members of the staff of the University other than—  
(a) the Vice-Chancellor; and

(b) the members of the academic staff;

“Statute” means a Statute of the University made by the Council under Part 4;

“University” means the University established by section 4;

“Vice-Chancellor” means the Vice-Chancellor and President of the University of Canberra appointed under section 25.

## **PART II—THE UNIVERSITY OF CANBERRA**

### ***Division 1—Establishment of the University***

#### **4. Establishment of the University**

- (1) A University is established.
- (2) The name of the University is the “University of Canberra”.
- (3) The University—
  - (a) is a body corporate;
  - (b) is to have a seal; and
  - (c) may acquire, hold and dispose of real and personal property.
- (4) The seal of the University shall be kept in such custody as the Council directs and shall not be used except as authorised by the Council.
- (5) All courts, judges and persons acting judicially shall take judicial notice of the imprint of the seal of the University appearing on a document and shall presume that it was duly fixed.

#### **6. Functions of the University**

- (1) The functions of the University include—
  - (a) to transmit and advance knowledge by undertaking teaching and research of the highest quality;
  - (b) to encourage, and provide facilities for, postgraduate study and research;
  - (c) to provide facilities and courses for higher education generally, including education appropriate to professional and other occupations, for students from within Australia and overseas;

- (d) to award and confer degrees, diplomas and certificates, whether in its own right, jointly with other institutions or as otherwise determined by the Council;
- (e) to provide opportunities for persons, including those who already have post-secondary qualifications, to obtain higher education qualifications; and
- (f) to engage in extension activities.

(2) In the performance of its functions, the University shall pay special attention to the needs of the Territory and the surrounding regions.

#### **6A. Values and principles of the University**

The University shall have an objective of implementing the following values and principles:

- (a) service to scholarship and the education of the Australian people;
- (b) responsiveness to the needs of Australia;
- (c) fairness and integrity;
- (d) efficiency and effectiveness;
- (e) accountability for the performance of the University's functions.

#### **7. Powers of the University**

(1) Subject to Division 2 of Part 3, the University has power to do all things that are necessary or convenient to be done for, or in connection with, the performance of its functions.

(2) The powers of the University under subsection (1) include, but are not limited to, the following powers:

- (a) to buy, take on lease, or otherwise acquire, real and personal property, and to sell, grant leases of, or otherwise dispose of, such property;
- (b) to develop commercially any discovery, invention or property;
- (c) to make charges for work done, services rendered and goods and information supplied by it;
- (d) to join in the formation of companies;
- (e) to subscribe for and buy shares in, and debentures and other securities of, companies;
- (f) to enter into partnerships;

- (g) to participate in joint ventures and arrangements for the sharing of profits;
  - (h) to enter into contracts;
  - (j) to erect buildings;
  - (k) to occupy, use and control any land or buildings owned or leased by the Commonwealth or the Territory and made available for the purposes of the University;
  - (m) to employ staff;
  - (n) to invest money of the University, and to dispose of investments;
  - (o) to make loans and grants to students;
  - (p) to accept gifts, grants, bequests and devises made to it;
  - (q) to act as trustee of money and other property vested in it on trust;
  - (r) to do such other things as it is authorised to do by or under this Act or any other Act;
  - (s) to do anything incidental to any of its powers.
- (3) Despite anything contained in this Act, any money or other property held by the University on trust shall be dealt with in accordance with the powers and duties of the University as trustee.
- (4) The powers of the University may be exercised within or outside Australia.

## **8. Organisation of the University**

There are to be, within the University, such faculties and other bodies as are determined by the Council.

### ***Division 2—The Council***

## **9. The Council**

The governing authority of the University is the Council.

## **10. Powers of Council**

- (1) Subject to this Act and the Statutes, the Council has the entire management of the University.
- (2) The Council is to act in all matters concerning the University in the way it thinks will best promote the interests of the University.

(3) The powers of the Council include, but are not limited to, the power to appoint persons (whether members of the staff of the University or not) to positions of responsibility within the University.

## **11. Constitution of Council**

(1) The Council consists of the following members:

- (aa) the Chancellor;
- (ab) the Deputy Chancellor;
  - (a) the Vice-Chancellor;
- (b) 10 persons appointed by the Chief Minister;
- (e) 1 person (not being an employee or student of the University) elected by graduates of the University and of the Canberra College of Advanced Education;
- (f) 3 members of the academic staff elected by members of that staff;
- (g) 1 member of the general staff elected by members of that staff;
- (h) 2 students of the University elected by students of the University;
- (j) the person or persons (if any) appointed under subsection (2).

(2) Where the Council considers that it is necessary to appoint 1 or 2 extra members of the Council to enable the Council to perform its functions efficiently, the Council may appoint a person or persons as a member or members of the Council.

(3) An employee or student of the University is not to be appointed under subsection (2).

(4) Subject to this Act, a member of the Council referred to in paragraph (1) (b) or (j) holds office for such period, not exceeding 4 years, as is specified in the instrument of appointment.

(5) Subject to this Act, the members of the Council referred to in paragraphs (1) (e), (f), (g) and (h) hold office for such periods as the Statutes provide.

## **12. Qualifications for membership of Council**

(1) A person is not qualified to become or remain a member of the Council (other than the Vice-Chancellor) if the person—

- (a) is under 18 years of age;

- (b) is an undischarged bankrupt or a person in respect of whom there is in operation a composition, deed of arrangement or deed of assignment with the person's creditors under the law relating to bankruptcy; or
  - (c) has been convicted of an offence against a Commonwealth, State or Territory law and sentenced to imprisonment for 1 year or longer.
- (2) Disqualification under paragraph (1) (c) is to expire 2 years from the date of conviction or the date of release from prison, whichever is the later.

### **13. Meetings of Council**

- (1) The Chancellor is to preside at all meetings of the Council at which he or she is present.
- (1A) If the Chancellor is not present at a meeting of the Council, the Deputy Chancellor shall preside at the meeting.
- (2) If neither the Chancellor nor the Deputy Chancellor is present at a meeting of the Council, the members present shall elect 1 of their number to preside at the meeting.
- (3) At a meeting of the Council, a quorum consists of a majority of the persons for the time being holding office as members of the Council.

### **14. Disclosure of interests of members**

- (1) A member of the Council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Council shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Council.
- (2) A disclosure under subsection (1) shall be recorded in the minutes of the meeting of the Council and the member shall not, unless the Council otherwise determines—
- (a) be present during any deliberation of the Council with respect to that matter; or
  - (b) take part in any decision of the Council with respect to that matter.
- (3) For the purpose of making a determination under subsection (2), a member of the Council who has a direct or indirect pecuniary interest in the matter concerned shall not—
- (a) be present during any deliberation of the Council for the purpose of making the determination; or

(b) take part in making the determination.

(4) This section has effect subject to the Statutes.

## **15. Vacation of office**

(1) The office of a member of the Council (other than the Vice-Chancellor) becomes vacant if the member—

- (a) becomes disqualified under section 12 from remaining a member of the Council;
- (b) dies;
- (c) resigns from the Council;
- (d) is absent without leave of the Council from 3 consecutive meetings of the Council;
- (e) without reasonable excuse, contravenes subsection 14 (1);
- (f) in the case of a member referred to in paragraph 11 (1) (c)—ceases to be qualified to be appointed as mentioned in that paragraph;
- (g) in the case of a member referred to in paragraph 11 (1) (e), (f), (g) or (h)—ceases to be qualified to be elected as mentioned in the paragraph concerned; or
- (h) in the case of a member referred to in paragraph 11 (1) (j)—becomes an employee or student of the University.

(2) If a person holding office as a member of the Council referred to in 1 of the paragraphs of subsection 11 (1) is, before otherwise ceasing to hold that office, appointed to the office of Chancellor or Vice-Chancellor, that person ceases, upon being so appointed, to hold that first-mentioned office.

(3) If the office of a member referred to in paragraph 11 (1) (b) becomes vacant, the Council shall, in writing, notify the Chief Minister of that fact.

## **16. Casual vacancies**

(1) A casual vacancy in the membership of the Council is to be filled—

- (a) where the Statutes make provision for the filling of that casual vacancy—as provided by the Statutes; or
- (b) in any other case—as provided in subsection 11 (1) for the appointment or election of a person to the vacant office.

(2) A person appointed or elected to fill a casual vacancy holds office for the remainder of the term of office of the person's predecessor.

**17. Delegation to member of Council etc.**

- (1) The Council may delegate all or any of its functions and powers under this Act (except its powers to make Statutes) to—
- (a) a member of the Council; or
  - (b) the Vice-Chancellor or a member of the staff of the University.
- (2) The Council may revoke a delegation under this section.

**18. Delegation to committee of Council**

- (1) The Council may delegate all or any of its functions and powers under this Act (except its powers to make Statutes) to the members of a committee consisting of—
- (a) members of the Council; or
  - (b) a member or members of the Council and other persons.
- (2) A function or power so delegated may be performed or exercised by a majority of the members of the committee, acting jointly, and may not otherwise be performed or exercised under the delegation.
- (3) The Council may revoke a delegation under this section.

***Division 3—The Academic Board***

**19. Academic Board**

- (1) There is to be an Academic Board.
- (2) The Board—
- (a) subject to the Statutes, is responsible under the Council for all academic matters relating to the University; and
  - (b) may advise the Council on any matter relating to education, learning or research or the academic work of the University.

**20. Constitution of Board**

The Board consists of the following members:

- (a) the Vice-Chancellor or his or her nominee;
- (b) the Chairperson appointed under section 21;
- (c) the heads of faculties;
- (d) such heads of the other bodies referred to in section 8 as are designated by the Council for the purposes of this section;

- (f) such other members of the academic staff as are specified in, or chosen as provided by, the Statutes;
- (g) such students of the University as are elected by students in accordance with the Statutes;
- (h) such other persons (if any) as the Council appoints after receiving the advice of the Board itself.

## **21. Chairperson of Board**

The Vice-Chancellor or his or her nominee is to be the Chairperson of the Board.

## **22. Terms of office of Board members**

(1) A member of the Board referred to in paragraph 20 (f) or (g) holds office, subject to this Act and to the Statutes, for such period as is specified in the Statutes.

(2) A member of the Board referred to in paragraph 20 (h) holds office, subject to this Act and to the Statutes, for such period as is specified in the instrument appointing that member.

(3) If a person holding office as a member referred to in 1 of the paragraphs of section 20 becomes, before otherwise ceasing to hold that office, a member referred to in another of those paragraphs, that person ceases, upon becoming such a member, to hold that first-mentioned office.

(4) Where a person becomes a member of the Board because of the filling of a casual vacancy in the office of a member referred to in paragraph 20 (f) or (g) (including a casual vacancy occurring because of subsection (3)), that person holds office, subject to this Act and to the Statutes, for the remainder of the term of office of the person's predecessor.

## **23. Meetings of Board**

(1) Subject to subsection (2), the Chairperson of the Board is to preside at all meetings of the Board at which he or she is present.

(2) If the Chairperson—

- (a) is not present; or
- (b) declines to preside;

at a meeting of the Board, the members present shall elect 1 of their number to preside at the meeting.

- (3) At a meeting of the Board, a quorum consists of a majority of the persons for the time being holding office as members of the Board.

***Division 4—Senior officers of the University***

**24. Chancellor**

- (1) The Council shall appoint a member of the Council or another person to be the Chancellor of the University.
- (2) The Chancellor holds office for such period, and on such conditions, subject to the Statutes, as the Council determines.

**24A. Deputy Chancellor**

- (1) The Council shall appoint a member of the Council or another person to be the Deputy Chancellor of the University.
- (2) The Deputy Chancellor holds office for such period, and on such conditions, subject to the Statutes, as the Council determines.
- (3) The Deputy Chancellor shall act as the Chancellor—
- (a) during any vacancy in the office of Chancellor; or
  - (b) when the Chancellor is for any reason unable to perform the functions of the office of Chancellor.

**25. Vice-Chancellor and President**

- (1) The Council shall appoint a member of the Council or another person to be the Vice-Chancellor and President of the University.
- (2) The Vice-Chancellor—
- (a) is the executive officer of the University; and
  - (b) has such powers and duties as the Statutes prescribe or, subject to the Statutes, as the Council determines.
- (3) The Vice-Chancellor holds office for such period, and on such conditions, subject to the Statutes, as the Council determines.

**27. Acting appointments**

- (1) The Council may, in writing, appoint a person to act as Vice-Chancellor—
- (a) during a vacancy in the office of Vice-Chancellor, whether or not an appointment has previously been made to the office; or

- (b) during any period, or during all periods, when the Vice-Chancellor is for any reason unable to perform the functions of the office.
- (2) A person appointed to act as the Vice-Chancellor during a vacancy in the office of Vice-Chancellor shall not so act continuously for more than 12 months.
- (3) Anything done by or in relation to a person purporting to act pursuant to an appointment under subsection (1) is not invalid on the ground that—
  - (a) the appointment was ineffective or had ceased to have effect; or
  - (b) the occasion to act had not arisen or had ceased.

### ***Division 5—Miscellaneous***

#### **28. Execution of contracts**

- (1) Any contract that, if made between private persons, would be by law required to be in writing under seal may be made on behalf of the University in writing under the seal of the University.
- (2) Any contract to which subsection (1) does not apply may be made on behalf of the University by any person acting with the authority of the Council, express or implied, and, where such a contract is made in writing, it may be executed on behalf of the University by that person.

#### **29. Validity of acts and proceedings**

- (1) This section applies to the following acts and proceedings:
  - (a) an act or proceeding of the Council or the Board;
  - (b) an act or proceeding of the members, or a committee, of the Council or the Board;
  - (c) an act done by the Chancellor or Vice-Chancellor.
- (2) An act or proceeding is not invalid on the ground that—
  - (a) a defect in the appointment, election, choosing or admission of—
    - (i) the Chancellor or Vice-Chancellor; or
    - (ii) any other member of the Council or the Board or of a committee of either;
  - (b) the disqualification of a member of the Council or the Board or of a committee of the Council or the Board from membership of the Council, Board or committee;
  - (c) a defect in the convening of a meeting; or

- (d) a vacancy in the membership of the Council or the Board.

**29A. Immunity from suit**

No action, suit or proceeding lies against a person who is or has been a member of the Council in relation to an act done or omitted to be done in good faith in the performance or purported performance of a function under this Act.

**PART III—FINANCIAL AND COMMERCIAL MATTERS**

***Division 1—Fees***

**30. Fees**

- (1) Fees, other than fees referred to in section 13 of the *Higher Education Funding Act 1988* of the Commonwealth or fees excluded from the definition of fees in section 3 of that Act, are not payable to the University.
- (2) Fees that are payable to the University are payable in accordance with the Statutes.

***Division 2—Finances of the University***

**33. Application of fees and other money**

All financial assistance paid to the University under the *Higher Education Funding Act 1988* of the Commonwealth and all fees and other money received by the University under this Act or otherwise shall be applied by the Council solely for the purposes of the University.

**34. Borrowing**

- (1) Subject to subsection (2), the University may borrow money.
- (2) The University's power to borrow is subject to such limits as the Treasurer determines as to—
- (a) the total amount of money (other than interest) that may be owed by the University at any time as a result of borrowings; and
  - (b) the periods for which money may be borrowed.

**35. Application of Parts VI and VIII of Financial Management Act**

- (1) Part VI of the *Financial Management Act 1996* applies in relation to the University as if section 45 were omitted.

(2) Part VIII of the *Financial Management Act 1996* applies in relation to the University as if—

- (a) the references in that Part to the chief executive officer of a Territory authority were references to the Council;
- (b) paragraphs 54 (3) (b) and (d) were omitted;
- (c) subsection 55 (3) were omitted;
- (d) in section 56—

- (i) there were omitted from paragraph (1) (c) “or”;
  - (ii) after paragraph (1) (d) there were inserted the following paragraphs:

“(e) on loan to an authorised dealer; or

(f) in clean bills of exchange.”; and

- (iii) the following subsection were added at the end of the section:

“(4) In subsection (1)—

‘authorised dealer’ means a corporation that is an authorised dealer in the short-term money market as defined by subregulation 5 (1) of the Banking (Savings Banks) Regulations as amended and in force from time to time under the *Banking Act 1959* of the Commonwealth;

‘clean bill of exchange’ means a bill of exchange that—

- (a) has been accepted by a trading bank;
    - (b) has been endorsed by a trading bank or trading banks; and
    - (c) has not been endorsed by any person other than a trading bank.”;
- (e) section 58 were omitted;
- (f) subsection 59 (1) were omitted and the following subsection substituted:

“(1) A Territory authority shall, within—

(a) 2 months after 31 December in each year; or

(b) such further period as the Minister specifies in writing;

prepare annual financial statements relating to its operations during the year.”;

- (g) subsection 59 (2) were omitted and the following subsection substituted:

“(2) The annual financial statements shall be prepared in accordance with generally accepted accounting practice.”;

- (h) paragraph 59 (3) (d) were omitted;
- (i) subsection 59 (4) were omitted;
- (j) subsection 61 (1) were omitted and the following subsection substituted:

“(1) The chief executive officer of a Territory authority shall, within 2 weeks after the authority has prepared an annual financial statement, forward a copy of that statement to the Auditor-General.”; and

- (k) subsection 63 (1) were omitted and the following subsections substituted:

“(1) The responsible Minister may, by instrument, direct the chief executive officer of a Territory authority to provide him or her with financial statements relating to the authority.

“(1A) The Minister shall cause a copy of each direction under subsection (1) to be laid before the Legislative Assembly within 5 sitting days after the day on which he or she gives the direction to the authority.”.

### **36. Annual report**

The Council shall, within 4 months after 31 December in each year, prepare and submit to the Minister for presentation to the Legislative Assembly a report of the operations of the University during the year that ended on that date.

## ***Division 3—Companies and joint ventures***

### **37. Formation and participation**

- (1) The University may—
  - (a) form, or participate in the formation of, a company; or
  - (b) enter into a joint venture with another person;

the objectives or purposes of which are consistent with the functions of the University.

(2) Without limiting the generality of subsection (1), those objectives or purposes may include any of the following:

- (a) providing facilities for study, research or education;
- (b) undertaking research, development, consultancy or other services for commercial organisations, public bodies or individuals;
- (c) aiding or engaging in the development or promotion of university research or the application or use of the results of such research;
- (d) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audio-visual material or computer software;
- (e) seeking or encouraging gifts to the University or for the purposes of the University;
- (f) promoting or assisting drama, music or the visual arts.

(3) The University shall not form, or participate in the formation of, a company in which the University will have a controlling interest within the meaning of the *Auditor-General Act 1996* unless the memorandum or articles of association of the company provide that the company shall not alter the memorandum or articles of association unless the Council has by resolution authorised the alteration.

### **38. Reporting requirements**

Where the University has a controlling interest in a company or joint venture within the meaning of the *Auditor-General Act 1996*, the University shall—

- (a) within 14 days after the lodgment of any report, return or statement relating to the company or joint venture with the Australian Securities and Investments Commission, submit a copy of the report, return or statement to the Treasurer; and
- (b) include a summary of the operations of the company or joint venture during a financial year of the company or joint venture, together with a summary of the financial statements in respect of those operations, in the first annual report of the University prepared after the end of that year.

## **PART IV—STATUTES**

### **40. Statutes**

**(1)** The Council may make Statutes, not inconsistent with this Act, prescribing matters—

- (a) required or permitted by this Act to be prescribed by the Statutes; or
- (b) necessary or convenient to be prescribed by the Statutes for carrying out or giving effect to this Act.

**(2)** The powers of the Council under subsection (1) include, but are not limited to, the power to make Statutes with respect to the following matters:

- (a) the management, good government and discipline of the University;
- (b) the imposition, by or on behalf of the University, of penalties upon—
  - (i) students of the University; or
  - (ii) persons employed by the University;

for contravention of a Statute made under paragraph (a);

- (c) the method of any election provided for by this Act, and the determination of questions raised in relation to the conduct or result of any such election;
- (d) the persons who are to be regarded, for the purposes of this Act, as members of the academic staff;
- (e) in relation to the Council or the Board—
  - (i) the manner and time of convening, holding and adjourning its meetings;
  - (ii) voting at such meetings (including postal or proxy voting);
  - (iii) disclosure of pecuniary interests at such meetings;
  - (iv) the appointment, powers and duties of chairpersons at such meetings;
  - (v) the conduct and recording of business at such meetings;
  - (vi) the appointment of committees; and
  - (vii) the quorums for meetings of committees and the powers and duties of committees;
- (f) the resignation of members of the Council and the Board;
- (g) the resignation of the Chancellor and Vice-Chancellor;

- (h) the tenure of the holder of any office or place established by or under this Act in respect of which this Act does not—
  - (i) specify a term of office; or
  - (ii) provide for the fixing of the term of office otherwise than by the Statutes;
- (j) the employment of members of staff of the University, including the terms and conditions of such employment and the termination of such employment;
- (k) the appointment of persons to positions of responsibility within the University, the terms and conditions of such appointments and the termination of such appointments;
- (m) the admission and enrolment of students;
- (n) the times, places and manner of holding lectures, classes and examinations, and the number and character of such lectures, classes and examinations;
- (o) the promotion and extension of University teaching;
- (p) the granting of degrees, diplomas, certificates and honours;
- (q) the granting of fellowships, scholarships, exhibitions and bursaries;
- (r) the admission—
  - (i) of persons who are undertaking or have undertaken studies at another institution to any corresponding status within the University; or
  - (ii) of persons who hold degrees, diplomas or other awards granted by other institutions to any corresponding degree, diploma or other award of the University without examination;
- (s) the exemption of persons undertaking a course leading to a degree, diploma or other award from the requirement to undertake particular work that would otherwise be required to be undertaken for the purposes of that course, whether or not on condition that other work be undertaken instead of the work the subject of the exemption;
- (t) the payment to the University of—
  - (i) fees referred to in section 13 of the *Higher Education Funding Act 1988* of the Commonwealth; or
  - (ii) fees excluded from the definition of “fees” in section 3 of that Act;

- (u) the establishment, management and control of libraries, laboratories and museums in connection with the University;
  - (w) the establishment or affiliation of residential colleges;
  - (y) the affiliation or admission to the University of any education or research establishment wherever it is;
  - (z) the control and investment of the property of the University;
  - (za) the provision of superannuation or similar benefits for, and for the families of, the Vice-Chancellor and other persons employed by the University.
- (3) The Statutes may empower any authority (including the Council) or officer of the University to make rules or orders, not inconsistent with this Act or with any Statute—
- (a) regulating, or providing for the regulation of, any specified matter (being a matter with respect to which Statutes may be made); or
  - (b) for carrying out or giving effect to the Statutes.
- (4) A rule or order made under a Statute made under subsection (3) has the same force and effect as a Statute.
- (5) Subsection (3) does not permit the making of rules or orders—
- (a) regulating, or providing for the regulation of, a matter referred to in subsection 41 (1); or
  - (b) for carrying out or giving effect to a Statute dealing with a matter referred to in subsection 41 (1) except to the extent that the rules or orders are made with respect to the discipline of the University and provide for the enforcement of such a Statute.

#### **41. Statutes relating to traffic**

- (1) The Council may make Statutes—
- (a) for or in relation to the regulation or control of traffic, or of the parking, stopping, standing or leaving of vehicles, on land occupied by the University in the Territory, including Statutes authorising, and providing for the effect of, signs and markings; and
  - (b) providing for the punishment, upon summary conviction, by a fine not exceeding \$200, of offences against such a Statute.
- (2) A Statute made under this section is not to be inconsistent with a law of the Territory, but a Statute is not to be treated as inconsistent with such a law

merely because it makes provisions with respect to a matter dealt with by that law, if the provisions can be complied with without contravening that law.

**42. Approval and publication of Statutes**

- (1) When a Statute has been made by the Council—
  - (a) it shall be sealed with the seal of the University; and
  - (b) the Chancellor shall transmit the Statute to the Executive for approval.
- (2) When a Statute has been approved by the Executive—
  - (a) the Council shall cause the Statute to be notified in the *Gazette*; and
  - (b) the Statute has the force of law from the day on which it is so notified.
- (3) A Statute is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.
- (5) The production of—
  - (a) a copy of a Statute under the seal of the University; or
  - (b) a document purporting to be a copy of a Statute and to have been printed by the Government Printer;

is, in all proceedings, sufficient evidence of the Statute.

- (6) The Statutes shall be numbered consecutively in the order in which they are notified in the *Gazette*.
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## University of Canberra Act 1989

### NOTES

1. The *University of Canberra Act 1989* as shown in this reprint comprises Act No. 179, 1989 of the Commonwealth (as amended).

The *Australian Capital Territory (Self-Government) Act 1988* (No. 106, 1988) of the Commonwealth subsection 34 (2) and Schedule 2 allowed for the conversion of certain Commonwealth laws (including that first-mentioned Act) to Territory enactments.

The *University of Canberra Act 1989* of the Commonwealth was, in preparation for its conversion, amended by the *Education Legislation Amendment Act 1997* (No. 66, 1997) of the Commonwealth with effect from 1 December 1997 and, as so amended became a Territory enactment on that date.

For the amendment history of the University of Canberra Act of the Commonwealth see Commonwealth Acts Tables and Commonwealth Acts of the Parliament Volumes printed annually. A Table showing the amendment history as provided by the Commonwealth as at 1 December 1997 is located at the back of this reprint for the reader's convenience.

Citation of Laws—The *Self-Government (Citation of Laws) Act 1989* (No. 21, 1989) altered the citation of most ACT laws so that after Self-Government day, or when they become Territory enactments they are to be cited as Acts. That Act also affects references in ACT laws to Commonwealth Acts.

2. The *Legislation (Republication) Act 1996* (No. 51, 1996) authorises the Parliamentary Counsel in preparing a law for republication, to make certain editorial and other formal amendments in accordance with current legislative drafting practice. Those amendments make no change in the law. Amendments made pursuant to that Act do not appear in the Table of Amendments but details may be obtained on request from the Parliamentary Counsel's Office.

### Table of Acts

Act	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>University of Canberra (Transfer) Act 1997</i>	74, 1997	25 Nov 1997	Ss. 1 and 2: 25 Nov 1997 Remainder: 1 Dec 1997 (see s. 2 (2))	Part IV (ss. 22-30)
<i>Law Reform (Miscellaneous Provisions) Act 1999</i>	1999 No 66	10 Nov 1999	10 Nov 1999	—

### Table of Amendments

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
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Title..... rs. No. 74, 1997

Heading to Part 1 ..... rep. No. 74, 1997

Heading to Part I ..... ad. No. 74, 1997

*University of Canberra Act 1989*

**NOTES—continued**

**Table of Amendments—continued**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
S. 3 .....	am. No. 74, 1997
Heading to Part 2 .....	rep. No. 74, 1997
Heading to Part II .....	ad. No. 74, 1997
S. 4 .....	am. No. 74, 1997
S. 6 .....	am. No. 74, 1997
S. 6A .....	ad. No. 74, 1997
S. 7 .....	am. No. 74, 1997
Ss. 11-15 .....	am. No. 74, 1997
Ss. 20-24 .....	am. No. 74, 1997
S. 24A .....	ad. No. 74, 1997
S. 25 .....	am. No. 74, 1997
S. 27 .....	rs. No. 74, 1997
S. 29 .....	am. No. 74, 1997
S. 29A .....	ad. No. 74, 1997
Heading to Part 3 .....	rep. No. 74, 1997
Heading to Part III .....	ad. No. 74, 1997
S. 30 .....	am. No. 74, 1997
S. 33 .....	am. No. 74, 1997
Ss. 35, 36 .....	rs. No. 74, 1997
Div. 3 of Part III (ss. 37, 38)	ad. No. 74, 1997
S. 37 .....	rs. No. 74, 1997
S. 38 .....	ad. No. 74, 1997
	am. 1999 No 66 s 6 sch 3
Heading to Part 4 .....	rep. No. 74, 1997
Heading to Part IV .....	ad. No. 74, 1997
Ss. 40-42 .....	am. No. 74, 1997
Part 5 (ss. 43, 45-49, 51, 52)	rep. No. 74, 1997
S. 43 .....	rep. No. 74, 1997
Ss. 45-49 .....	rep. No. 74, 1997
Ss. 51, 52 .....	rep. No. 74, 1997

*University of Canberra Act 1989*

TABLE SHOWING SECTION HISTORY OF THE *UNIVERSITY OF CANBERRA ACT 1989*  
AS PROVIDED BY THE COMMONWEALTH

**NOTE—This Table does not form part of the *University of Canberra Act 1989* and is printed for convenience of reference only.**

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
Title .....	am. No. 66, 1997
Preamble .....	am. No. 66, 1997
S. 3 .....	am. No. 132, 1991; No. 66, 1997
S. 5 .....	rep. Statutory Rules 1993 No. 69
S. 11 .....	am. No. 132, 1991; No. 66, 1997
S. 15 .....	am. No. 132, 1991; No. 66, 1997
S. 20 .....	am. No. 66, 1997
S. 22 .....	am. No. 66, 1997
S. 24 .....	am. No. 132, 1991
S. 26 .....	rep. No. 168, 1995
S. 30 .....	rs. No. 158, 1992
Ss. 31, 32 .....	rep. No. 158, 1992
S. 33 .....	am. No. 158, 1992
S. 38 .....	am. No. 118, 1992
	rep. No. 66, 1997
S. 39 .....	am. No. 132, 1991
S. 40 .....	am. No. 158, 1992
Div. 2 of Part 5 (s. 44) .....	rep. No. 66, 1997
S. 44 .....	rep. No. 66, 1997
S. 50 .....	rep. No. 66, 1997
Ss. 53, 54 .....	rep. No. 66, 1997
Divs. 4 and 5 of Part 5 (ss. 55-61)	rep. No. 66, 1997
Ss. 55-61 .....	rep. No. 66, 1997

*University of Canberra Act 1989*

**NEXT TABLE NOT TO BE INCLUDED IN REPRINT**

**NOTES**

1. The *University of Canberra Act 1989* as shown in this reprint comprises Act No. 179, 1989 amended as indicated in the Tables below.

The *University of Canberra Act 1989* was amended by the University of Canberra (Cessation of Sponsorship) Regulations. The amendments are incorporated in this reprint.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>University of Canberra Act 1989</i>	179, 1989	28 Dec 1989	1 Jan 1990	
<i>University of Canberra (Amendment) Act 1991</i>	132, 1991	2 Sept 1991	2 Sept 1991	—
<i>Sales Tax Amendment (Transitional) Act 1992</i>	118, 1992	30 Sept 1992	28 Oct 1992	—
<i>Higher Education Funding Amendment Act (No. 2) 1992</i>	158, 1992	11 Dec 1992	Ss. 1 and 2: 11 Dec 1992 Ss. 3-46 and 60-70: 1 Jan 1993 Remainder: 1 Jan 1994	—
<i>Industrial Relations and other Legislation Amendment Act 1995</i>	168, 1995	16 Dec 1995	Ss. 1-12, Schedules 5 and 7-10: Royal Assent S. 13: 13 Jan 1996 Remainder: 15 Jan 1996 (see <i>Gazette</i> 1996, No. S16)	—
<i>Education Legislation Amendment Act 1997</i>	66, 1997	30 May 1997	Ss. 1-3 and Sch. 2: 30 May 1997 Remainder: 1 Dec 1997	Part 4 of Sch. 1 (items 19-23)

*University of Canberra Act 1989*

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