

1992

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Education and Training)

**Canberra Institute of Technology
(Amendment) Bill 1992**

**A BILL
FOR**

**An Act to amend the *A.C.T. Institute of Technical
and Further Education Act 1987***

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

Short title

- 5 1. This Act may be cited as the *Canberra Institute of Technology
(Amendment) Act 1992*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on 1 January 1993.

82076 1992/153 (T76/92)

Principal Act

3. In this Act, "Principal Act" means the *A.C.T. Institute of Technical and Further Education Act 1987*.¹

Long title

- 5 4. The title of the Principal Act is repealed and the following title substituted:

"An Act to establish the Canberra Institute of Technology".

Short title

- 10 5. Section 1 of the Principal Act is amended by omitting "*A.C.T. Institute of Technical and Further Education*" and substituting "*Canberra Institute of Technology*".

Interpretation

6. Section 3 of the Principal Act is amended—

- 15 (a) by omitting from subsection (1) the definitions of "Chairperson", "Committee", "Deputy Chairperson", "Institute" and "member"; and

(b) by inserting the following definitions:

" 'Chairperson' means the Chairperson of the Council;

20 ' Council' means the Canberra Institute of Technology Advisory Council established by section 18;

'Deputy Chairperson' means the Deputy Chairperson of the Council;

'Institute' means the Canberra Institute of Technology;

'member' means a member of the Council;".

25 **Substitution**

7. The heading to Part II of the Principal Act is omitted and the following heading substituted:

"PART II—CANBERRA INSTITUTE OF TECHNOLOGY".

Establishment of Institute

- 30 8. Section 4 of the Principal Act is amended by omitting from subsection (1) "*A.C.T. Institute of Technical and Further Education*" and substituting "*Canberra Institute of Technology*".

Repeal

9. Section 5 of the Principal Act is repealed.

Powers of Institute

5 10. Section 7 of the Principal Act is amended by omitting from subsection (2) "\$100,000" and substituting "\$250,000".

Substitution

11. The heading to Part III of the Principal Act is omitted and the following heading substituted:

10 "PART III—DIRECTOR, COUNCIL AND STAFF OF INSTITUTE".

Establishment of Council

12. Section 18 of the Principal Act is amended by omitting "A.C.T. Institute of Technical and Further Education Advisory Committee" and substituting "Canberra Institute of Technology Advisory Council".

15 **Membership of the Council**

13. Section 18B of the Principal Act is amended—

(a) by omitting from paragraph (1) (c) "5" and substituting "9";

(b) by omitting "and" from paragraph (2) (b); and

(c) by adding at the end of subsection (2) the following paragraphs:

20 " (d) 1 shall be the person appointed as Chairperson of the Vocational Training Authority under section 15 of the *Vocational Training Act 1989* or the person appointed to act as the Chairperson under section 21 of that Act; and

25 (e) the remaining 5 members shall be persons possessing expertise relevant to the management and operation of the Institute."

Termination of employment

14. Section 18D of the Principal Act is amended—

30 (a) by omitting from paragraph (2) (d) "or (c)" and substituting ", (c) or (e)";

(b) by omitting from paragraph (2) (d) "or" (last occurring); and

(c) by inserting after paragraph (2) (d) the following paragraph:

- 5 “(da) in the case of the member referred to in paragraph 18B (2) (d)—the Minister has reasonable grounds for believing that the member has ceased to be the Chairperson, or to act as the Chairperson, as the case may be, of the Vocational Training Authority; or”.

Acting members

15 15. Section 18E of the Principal Act is amended—

- (a) by omitting from subsection (2) “or (c)” and substituting “, (c) or (e)”; and
- 10 (b) by inserting after subsection (2) the following subsection:

“(2A) A person shall not be appointed to act as the member referred to in paragraph 18B (2) (d) unless the person is a member of the Vocational Training Authority.”.

Financial reporting and audit

- 15 16. Section 31B of the Principal Act is amended by omitting subsections (1), (3) and (4).

Additional amendments

17. Each of the following provisions of the Principal Act is amended by omitting “Committee” (wherever occurring) and substituting “Council”:
- 20 Subsection 12 (1A), section 18, subsections 18A (1), (2), (3) and (4), subsection 18B (1), paragraph 18D (2) (b), subsections 18F (1) and (7), subsections 18G (1) and (2) and paragraphs (3) (a) and (b).

NOTE

1. Reprinted as at 31 August 1992.

NOTE ABOUT SECTION HEADING

On the day on which the Principal Act is amended by this Act, in addition to any alteration of section headings indicated in the text of this Act, the heading to section 18A is omitted and the following heading is substituted:

“Function and powers of Council”.