

UNIVERSITY OF WESTERN AUSTRALIA.

No. 113 of 1970.

AN ACT to amend the University of Western Australia Act, 1911-1969, and where necessary for the purpose of reprinting, to revise certain of the Acts amending the University of Western Australia Act, 1911, and that Act as amended.

[Assented to 10th December, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *University of Western Australia Act Amendment Act, 1970.* Short title

7. Section 10 of the principal Act is amended—

Amendment
to s. 10.
(Personnel.
Appointment
and election
of Senate.)

(a) by repealing paragraph (b) and re-enacting it as follows—

(b) Six persons, not being such persons as are referred to in subsection (2) of section eight of this Act to be elected by convocation. ;

(b) by repealing paragraph (c) and re-enacting it as follows—

(c) Four persons, being such persons as are referred to in subsection (2) of section eight of this Act, to be elected by the persons so referred to, except that in the case of the first three persons to become members of the Senate under this paragraph after the coming into operation of the University of Western Australia Act Amendment Act, 1970, one shall be elected and two shall be appointed by the Senate. ;

(c) by repealing paragraph (d);

(d) by adding after paragraph (fa) a paragraph as follows—

(fb) Two persons who are respectively enrolled as students of the University to be appointed by the Senate, in the case of the first two persons to become members of the Senate under this paragraph and thereafter to be elected by the persons so enrolled. ;
and

(e) by substituting for the passage “served in His Majesty’s Forces during the 1914-1918 war or in the present war” in lines six and seven of paragraph (g), the words “has served at any time in Her Majesty’s Forces and who has been honourably discharged from such forces”.

Amendment
to s. 10A.
(Tenure of
office.)

8. Section 10A of the principal Act is amended—
- (a) by substituting for the word “The”, being the first word in the section, the passage “(1) Subject to subsection (2) of this section, the”;
 - (b) by repealing paragraph (a) and re-enacting it as follows—
 - (a) Each of the six members referred to in paragraph (a) of section ten of this Act holding office on, or appointed after, the coming into operation of the University of Western Australia Act Amendment Act, 1970, shall, subject to this Act, hold office for six years from the date of his appointment as member of the Senate and be eligible for re-appointment as such. ;
 - (c) by repealing paragraph (b) and re-enacting it as follows—
 - (b) Each of the six members referred to in paragraph (b) of section ten of this Act holding office on, or elected after, the coming into operation of the University of Western Australia Act Amendment Act, 1970, shall, subject to this Act, hold office for six years from the date of his election as member of the Senate and be eligible for re-election as such. ;
 - (d) by repealing paragraph (c) and re-enacting it as follows—
 - (c) Each of the four members referred to in paragraph (c) of section ten of this Act holding office on, or elected after, the coming into operation of the University of Western Australia Act Amendment Act, 1970, shall, subject to this Act, hold office for four years from the date of his election as member of the Senate and be eligible for re-election as such. ;

(e) by adding after paragraph (c) a paragraph as follows—

(ca) Each of the two members referred to in paragraph (fb) of section ten of this Act shall, subject to this Act, hold office for two years from the date of his appointment or declaration of election as member of the Senate, as the case may be, and be eligible for re-election as such. ;

(f) by repealing paragraph (d) and re-enacting it as follows—

(d) Each of the four members referred to in paragraph (g) of section ten of this Act holding office on, or selected and co-opted as a member of the Senate after, the coming into operation of the University of Western Australia Act Amendment Act, 1970, shall, subject to this Act, hold office for four years from the date on which he was or is so selected and co-opted as member of the Senate and be eligible for re-selection and co-option as such. ; and

(g) by adding a subsection as follows—

(2) Notwithstanding the provisions of paragraph (c) or (fb) of section ten of this Act, in the case of the—

(a) two persons to be first appointed under the first mentioned paragraph; and

(b) two persons to be first appointed under the second mentioned paragraph

after the coming into operation of the University of Western Australia Act Amendment Act, 1970, the Senate may decide that there shall be expiration of office in rotation, and if the Senate so

decides, each such person as is referred to in—

- (c) paragraph (a) of this subsection and who is nominated by the Senate, shall be deemed to be respectively appointed for such respective term not exceeding four years; and
- (d) paragraph (b) of this subsection and who is nominated by the Senate, shall be deemed to be respectively appointed for such respective term not exceeding two years

as, in order to give effect to the decision, the Senate thinks fit.

S. 10C re-
pealed.
(Retirement
of existing
members of
Senate.)

9. Section 10C of the principal Act is repealed.

Amendment
to s. 11.
(Disquali-
fications.)

10. Section 11 of the principal Act is amended—

- (a) by adding after paragraph (e) a passage as follows—

or

- (f) Ceases to hold the qualification required to be held by him for appointment or election as a member of the Senate, ; and

- (b) by repealing and re-enacting subsection (2) as follows—

(2) The President of the Guild of Undergraduates and each of the two members referred to in paragraph (fb) of section ten of this Act, is capable of being a member of the Senate, notwithstanding that he is not of the full age of twenty-one years. .

S. 17 re-
pealed and
re-enacted.

11. Section 17 of the principal Act is repealed and re-enacted as follows—

Convocation.

17. (1) Convocation shall consist of—

- (a) all members and past members of the Senate;

- (b) all graduates of the University;
 - (c) such graduates, fellows, members, licentiates and associates of Universities, Colleges or institutions duly authorised to grant degrees, diplomas, licences or certificates as are admitted to be members of Convocation under a statute;
 - (d) such persons, being representatives of commercial, industrial, scientific, professional or educational associations, institutions, societies or other bodies as the Senate may, from time to time, admit to be members of Convocation upon such conditions, including contributions to be made by the association, society or body and the term of each respective member, as the Senate may determine, but any such association, society or body shall have only one member representing it at one time;
 - (e) such persons who have rendered services or made gifts to the University as the Senate may, from time to time, admit to be members of Convocation;
 - (f) the duly appointed representative of the Guild of Undergraduates.
- (2) The Senate shall cause to be kept a roll of the members of Convocation.
- (3) Notwithstanding any other provision of this Act, all elections required by this Act to be made by Convocation may be made—
- (a) by postal vote in the manner prescribed by statute; or
 - (b) in such other manner as is so prescribed,
- and the members of Convocation eligible to vote at any such election are those who have maintained their names on a postal or other list in the manner so prescribed. .

S. 18 re-
pealed and
re-enacted.

12. Section 18 of the principal Act is repealed and re-enacted as follows—

The Warden.

18. (1) Convocation shall in each year elect one of its members to be its Warden.

(2) The election of the Warden shall be held and conducted at such time and at such place and in such manner as may be prescribed by Statute. .

Amendment
to s. 31.
(Power to
make
statutes.)

13. Subsection (1) of section 31 of the principal Act is amended—

(a) by deleting the words “outside the State” in line three of paragraph (c); and

(b) by adding after the word “Senate” in paragraph (d), the passage “and of the Warden and any other officers of Convocation and of any Committees thereof”.

Revision of
certain of
the provi-
sions of the
amending
Acts.

14. (1) By way of revision, for the purpose of reprinting the principal Act, the provisions of the amending Acts are amended to the extent specified in the Schedule to this Act.

(2) Nothing in subsection (1) of this section affects the operation of the Amendments Incorporation Act, 1938 or the Interpretation Act, 1918.

SCHEDULE.

8. 14.

Short Title of Act	Item	Amendment
University of Western Australia Act Amend- ment Act, 1929	1	Add after the section number "2." the follow- ing— The principal Act is amended by adding after section 16 as section 16A the follow- ing :—
	2	Substitute for the words "the principal Act" in line two of paragraph (1) of subsection (1) of section 2 and in line two of the proviso to subsection (1) of that section, the words "this Act".
	3	Add after the section number "3." the follow- ing— The principal Act is amended by adding as section 16B the following :—
	4	Add after the section number "4." the follow- ing— The principal Act is amended by adding as section 16C the following :—
	5	Add after the section number "5." the follow- ing— The principal Act is amended by adding as section 16D the following :—
	6	Add after the section number "6." the follow- ing— The principal Act is amended by adding as section 16E the following :—
	7	Substitute for the words "the principal Act" in line three of section 6, the words "this Act".
	8	Add after the section number "7." the follow- ing— The principal Act is amended by adding as section 16F the following :—
University of Western Australia Act Amend- ment Act, 1944	9	Substitute for the passage "(1) Subject to subsection (2) of this section, section" in lines one and two of subsection (1) of section 4, the word "Section".
	10	Repeal subsection (2) of section 4.
	11	Substitute for the passage "(1) Subject to subsection (2) of this section, section" in lines one and two of subsection (1) of section 7, the word "Section".
	12	Repeal subsection (2) of section 7.
	13	Substitute for the passage "(1) Subject to subsection (2) of this section, section" in lines one and two of subsection (1) of section 8, the word "Section".
	14	Repeal subsection (2) of section 8.