

Australian National University

No. 108 of 1965

An Act relating to The Australian National
University.

[Assented to 18 December, 1965]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Australian National University Act 1965*.

Short title
and citation.

(2.) The *Australian National University Act 1946-1963** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Australian National University Act 1946-1965*.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent but, subject to sub-section (2.) of section 5 of this Act, the amendments made by paragraph (a) of section 3, and by sections 4, 5 and 6, of this Act do not take effect until the first day of January, One thousand nine hundred and sixty-six.

Constitution
of Council.

3. Section 11 of the Principal Act is amended—

(a) by omitting sub-paragraphs (v) and (vi) of paragraph (d) of sub-section (1.) and inserting in their stead the following sub-paragraphs:—

“ (v) the Deputy Chairman of the Board of the Institute; and

“ (vi) the Deputy Chairman of the Board of the School; ”; and

(b) by omitting from paragraph (l) of sub-section (1.) the words “ of at least two years’ standing ”.

Board of the
Institute of
Advanced
Studies.

4. Section 15A of the Principal Act is amended—

(a) by omitting paragraphs (e) and (f) of sub-section (1.) and inserting in their stead the following paragraph:—

“ (f) three of the members of the Board of the School elected by the members of the Board of the School; and ”; and

(b) by omitting sub-sections (4.) and (5.) and inserting in their stead the following sub-sections:—

“ (4.) Before making an appointment under the last preceding sub-section, the Council shall give to the Board of the Institute an opportunity of furnishing advice to the Council in relation to the appointment.

“ (5.) At a meeting of the Board of the Institute at which the Vice-Chancellor is present, the Vice-Chancellor shall preside unless he requests the Deputy Chairman to preside, in which case the Deputy Chairman shall preside.

“ (6.) At a meeting of the Board of the Institute at which the Vice-Chancellor is not present—

(a) if the Deputy Chairman is present, he shall preside; and

* Act No. 22, 1946, as amended by Nos. 21 and 56, 1947; No. 3, 1960; and No. 9, 1963.

(b) if the Deputy Chairman is not present, the members present shall elect one of their number to preside.”.

5.—(1.) Section 15B of the Principal Act is amended—

(a) by omitting paragraph (b) of sub-section (1.); and

(b) by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-sections:—

“ (3.) The Council shall from time to time appoint a member of the Board of the School, being a person referred to in paragraph (d) of sub-section (1.) of this section, to be Deputy Chairman of the Board of the School.

“ (4.) Before making an appointment under the last preceding sub-section, the Council shall give to the Board of the School an opportunity of furnishing advice to the Council in relation to the appointment.

“ (5.) At a meeting of the Board of the School at which the Vice-Chancellor is present, the Vice-Chancellor shall preside unless he requests the Deputy Chairman to preside, in which case the Deputy Chairman shall preside.

“ (6.) At a meeting of the Board of the School at which the Vice-Chancellor is not present—

(a) if the Deputy Chairman is present, he shall preside; and

(b) if the Deputy Chairman is not present, the members present shall elect one of their number to preside.”.

(2.) The Council of the Australian National University or the Standing Committee of the Council may make an appointment under sub-section (3.) of section 15B of the Principal Act, as amended by this Act, before the first day of January, One thousand nine hundred and sixty-six, but any appointment so made does not take effect until that date.

6. Section 18A of the Principal Act is amended—

(a) by adding at the end of paragraph (a) the word “ and ”;

(b) by omitting from paragraph (b) the word “ and ”; and

(c) by omitting paragraph (c).

Pro-Chancellor
and Deputy
Vice-
Chancellor.

7. After section 26 of the Principal Act the following section is inserted:—

“ 26A.—(1.) Any contract that, if made between private persons, would be by law required to be in writing under seal may, subject to section five of this Act, be made on behalf of the University in writing under the common seal of the University.

Contracts by
University.

Board of the
School of
General Studies.

“(2.) Any contract to which the last preceding sub-section 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.”.

Fees payable
by students.

8. Section 29 of the Principal Act is amended by inserting after sub-section (1.) the following sub-section:—

“(1A.) The Council may exempt from the payment of fees any students of the University who hold scholarships granted by a State, or by a body established by or under a law of a State, to pursue studies at the University in relation to forestry.”.

9. After section 33 of the Principal Act the following section is added:—

Preservation
of rights of
persons
formerly
employed in
Forestry and
Timber
Bureau.

“34.—(1.) Where a person employed by the University at the commencement of this section was, immediately before his employment by the University, an officer of the Public Service of the Commonwealth employed in the performance of duties in connexion with the training of professional foresters by the Forestry and Timber Bureau, he retains, and shall be deemed to have retained, his existing and accruing rights.

“(2.) For the purpose of determining the rights so retained by a person, his service as a person employed by the University shall be taken into account as if it were service in the Public Service of the Commonwealth.

“(3.) The *Officers' Rights Declaration Act 1928-1959* applies, and shall be deemed to have applied, in relation to a person to whom sub-section (1.) of this section applies as if this Act and this section had been specified in the Schedule to that Act and as if the University were a Commonwealth authority within the meaning of that Act and, for the purposes of the application of that Act in relation to him, the right of election referred to in sub-section (1.) of section five of that Act may be exercised by him within three months after the commencement of this section.”.

Repeal of
sections of
*Australian
National
University
Act 1960.*

10.—(1.) Sections 21, 22, 23, 27, 28 and 29 of the *Australian National University Act 1960* are repealed.

(2.) The repeal effected by the last preceding sub-section does not affect—

- (a) an appointment of a person to an office or the continuation of a person in an office;
- (b) a determination made under section 28 of the *Australian National University Act 1960*; or
- (c) an exercise by the Council of the Australian National University of the power given to it by section 29 of the *Australian National University Act 1960*.