

Monash University (Chisholm and Gippsland) Bill

EXPLANATORY MEMORANDUM

PART 1—PRELIMINARY

Clause 1 sets out the purpose of the Bill.

Clause 2 provides for the Parts of the Bill to be brought into operation at different times.

Clause 3 provides definitions, including the “Appointed Day” which is 1 July 1990.

PART 2—MERGER

Clause 4 provides for a number of necessary things to occur on 1 July 1990 to effect the merger including Monash becoming successor in law to Chisholm and Gippsland transferring their assets and liabilities to Monash; providing for the continuance of scholarships etc.; providing for all contracts, agreements, etc., actions, claims arbitrations, etc., and permits, licences, etc., to continue but as if they referred to Monash. All records and documents of the merging institutions become the property of Monash.

Clause 5 ensures that gifts or trusts made to Chisholm or Gippsland before 1 July 1990 will not fail but continue as if they had been made to Monash for a similar purpose.

Clause 6 provides for the membership of the Transitional Council which will cease on 30 June 1991.

Clause 7 provides for the staff of Chisholm and Gippsland to become members of staff of Monash on 1 July 1990 with remuneration and entitlements no less than they received immediately before 1 July 1990.

Clause 8 provides for students of Chisholm and Gippsland to become students of Monash.

Clause 9 provides for the continuation of indemnity for those persons who were members of the Councils of Chisholm and Gippsland immediately before 1 July 1990.

Clause 10 vests in Monash reserved Crown land or land vested in the Minister for Education which is being used by Chisholm and Gippsland. (Section 3 of the Principal Act already provides for control by the Governor in Council upon any disposition by Monash of its lands).

Clause 11 provides for the amendment of the Register under the Transfer of Land Act as necessary because of the operation of this Bill.

Clause 12 provides for the continuance until 1 July 1991 as necessary of regulations of Chisholm or Gippsland as if they were regulations of Monash.

Clause 13 provides for Chisholm and Gippsland to have power to do all things necessary to prepare for the merger in accordance with this Bill.

Clauses 14 and 15 repeal the Orders in Council and legislation which established Chisholm and Gippsland.

PART 3—AMENDMENT OF THE *MONASH UNIVERSITY ACT 1958*

Clause 16 names the Principal Act.

Clause 17 amends the definition of “Professor” and omits a historically obsolete phrase from section 5.

Clause 18 provides for the Constitution of the permanent Council.

Clauses 19 and 20 provide for an increase in the number of Deputy Chancellors of the University and make a consequential amendment to section 18 of the Principal Act.

Clause 21 changes the title of the Vice-Chancellor to Vice-Chancellor and President.

Clause 22 provides for the establishment of a University College and an Advisory Council for the College; it also sets out the powers of the Advisory Council.

Clause 23 provides for the Academic Board.

PART 4—MISCELLANEOUS

Clause 24 makes two Statute Law Revision amendments to the Principal Act.