



Australian Capital Territory

# University of Canberra Act 1989

A1989-179

**Republication No 15**

**Effective: 20 April 2024**

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Last amendment made by [A2024-10](#)

## About this republication

### The republished law

This is a republication of the *University of Canberra Act 1989* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 20 April 2024. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 20 April 2024.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# University of Canberra Act 1989

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Australian Capital Territory

# University of Canberra Act 1989

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An Act about the University of Canberra

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *University of Canberra Act 1989*.

### 2 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act.

*Note 2* A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 3 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.



## **Part 2**                      **University of Canberra**

### **Division 2.1**              **Establishment of university**

#### **4**                      **Establishment of 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; and
  - (b) is to have a seal; and
  - (c) may acquire, hold and dispose of real and personal property.
- (4) The seal of the university must be kept in the custody that the council directs and must not be used except as authorised by the council.

#### **6**                      **Functions of university**

- (1) The functions of the university include—
  - (a) to transmit and advance knowledge by undertaking teaching and research of the highest quality; and
  - (b) to encourage, and provide facilities for, postgraduate study and research; and
  - (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; and
  - (d) to award and confer degrees, diplomas and certificates, whether in its own right, jointly with other institutions or as otherwise decided by the council; and

- (e) to provide opportunities for people, including those who already have post-secondary qualifications, to obtain higher education qualifications; and
- (f) to develop and provide cultural, sporting, professional, technical and vocational services to the community; and
- (g) to participate in public discourse; and
- (h) to engage in extension activities; and
- (i) to commercially exploit or develop, for the university's benefit, any property of the university including any facility, resource, real property or other right or interest; and

**Example**

the practical application and development of study, research, knowledge and intellectual or real property

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (j) to exercise any other function given to it under this Act or another territory law.
- (2) In the exercise of its functions, the university must pay special attention to the needs of the ACT and the surrounding regions.

**6A Values and principles of university**

The university must 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 exercise of the university's functions;
- (f) commitment, through education and research, to reconciliation with Aboriginal and Torres Strait Islander people.

## **7 Powers of university**

- (1) Subject to division 3.2, the university has power to do all things that are necessary or convenient to be done for, or in connection with, the exercise of its functions.

### **Example**

power to enter into contracts with third parties for the purpose of commercially exploiting or developing the university's property

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (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, property, and to sell, grant leases of, or otherwise dispose of, 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;
  - (i) to erect buildings;

- (j) 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;
  - (k) to employ staff;
  - (l) to invest money of the university, and to dispose of investments;
  - (m) to make loans and grants to students;
  - (n) to accept gifts, grants, bequests and devises made to it;
  - (o) to act as trustee of money and other property vested in it on trust;
  - (p) to exercise any other power given to it under this Act or another territory law; and
  - (q) to do anything incidental to its functions.
- (3) Despite anything contained in this Act, any money or other property held by the university on trust must be dealt with in accordance with the powers and duties of the university as trustee.
- (4) The functions of the university may be exercised outside the ACT and Australia.

## **8 Organisation of university**

There are to be, within the university, the faculties and other bodies that are decided by the council.

## **Division 2.2 The council**

### **9 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 considers will best promote the interests of the university.
- (3) The powers of the council include, but are not limited to, the power to appoint people (whether members of the staff of the university or not) to positions of responsibility within the university.
- (4) The council may, by resolution passed by at least  $\frac{2}{3}$  of the council members, provide for a council member to be paid remuneration.

## **11 Constitution of council**

- (1) The council consists of the following members:

- (a) the chancellor;
- (b) the vice-chancellor;
- (c) the chairperson of the board;
- (d) 8 people appointed by the Minister;

*Note 1* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.

*Note 2* Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see [Legislation Act](#), div 19.3.3).

- (e) 1 member of the academic staff elected by members of the academic staff;
- (f) 1 member of the general staff elected by members of the general staff;
- (g) 1 undergraduate student elected by undergraduate students of the university;
- (h) 1 postgraduate student elected by postgraduate students of the university.

- (2) A member mentioned in subsection (1) (d) must not be appointed—
- (a) for a term of longer than 3 years; or
- Note* A person may be reappointed to a position if the person is eligible to be appointed to the position (see [Legislation Act](#), s 208 and dict, pt 1, def *appoint*).
- (b) if the total period of the member’s appointment is longer than 9 years—without the council’s agreement.
- (3) The conditions of appointment of a member mentioned in subsection (1) (d) are the conditions agreed between the Executive and the member, subject to any resolution passed by the council under section 10 (4) (a *council resolution*) for the member.
- (4) Subsection (3) applies despite the [Financial Management Act 1996](#), section 78 (8) (Appointment of governing board members generally).
- (5) A member mentioned in subsection (1) (e), (f), (g) or (h)—
- (a) holds office for the period the statutes provide in relation to the member; but
  - (b) must not hold office for a total period longer than 9 years.

## 11A Appointment of council members

- (1) The council may recommend people for appointment to the council under section 11 (1) (d).
- (2) In deciding to appoint a person to the council, the Minister must have regard to the desirability of ensuring there is a balance of skills, expertise and gender among members of the council.
- (3) The Minister must try to ensure that the members appointed—
  - (a) have skills in finance, management, commerce, law or teaching to contribute to the effective working of the council; and

- (b) have an appreciation of the values of a higher education provider, its core activities of teaching and research, its independence and academic freedom and the community's needs.
- (4) Without limiting subsection (3)—
  - (a) at least 2 members appointed must have a high level of relevant financial expertise; and
  - (b) at least 1 member appointed must have a high level of relevant commercial expertise.
- (5) The Minister must not appoint to the council—
  - (a) a member of—
    - (i) the Commonwealth parliament; or
    - (ii) a State parliament; or
    - (iii) the Legislative Assembly; or
    - (iv) the legislature of another territory; or
  - (b) a member of the academic staff or general staff of the university; or
  - (c) a student of the university.

## **12 Qualifications for membership of council**

- (1) A person is not qualified to become or remain a member of the council if the person—
  - (a) is under 18 years old; or
  - (b) is disqualified from managing corporations under the [Corporations Act](#), part 2D.6 (Disqualification from managing corporations); or
  - (c) is convicted, in the ACT, of an offence punishable by imprisonment for at least 1 year; or

- (d) is convicted outside the ACT, in Australia or elsewhere, of an offence that, if it had been committed in the ACT, would be punishable by imprisonment for at least 1 year.
- (2) Disqualification under subsection (1) (c) or (d) ends on the later of the following:
  - (a) 5 years after the date of the person's conviction;
  - (b) 5 years after the date of the person's release from prison.

## **12A Duties of members of council**

- (1) In exercising the functions of a member of the council, a council member must—
  - (a) act always in the best interests of the university as a whole; and
  - (b) act honestly and for a proper purpose; and
  - (c) exercise reasonable care and diligence.
- (2) Also, a member of the council—
  - (a) must avoid conflicts of interest; and
  - (b) must disclose to the council, in accordance with section 14 and the statutes, any conflict between the member's interests and the university's interests; and
  - (c) must not improperly use the member's position, or information obtained because of the member's position, to—
    - (i) gain an advantage for the member or someone else; or
    - (ii) cause detriment to the university or someone else.
- (3) The duty under subsection (1) (a) must be observed in priority to any duty a member may owe to those electing or appointing the member.
- (4) The council may, by resolution passed by  $\frac{2}{3}$  of the members of the council for the time being, remove a council member from office if the member fails to comply with a duty under subsection (1) or (2).



### **13 Meetings of council**

- (1) The chancellor is to preside at all meetings of the council at which the chancellor is present.
- (2) If the chancellor is not present at a meeting of the council, the deputy chancellor presides at the meeting.
- (3) If neither the chancellor nor the deputy chancellor is present at a meeting of the council, the members present must elect 1 of the members present to preside at the meeting.
- (4) At a meeting of the council, a quorum consists of a majority of the people for the time being holding office as members of the council.

### **13A Resolutions without meeting**

A resolution is a valid resolution of the council, even if it is not passed at a meeting of the council, if at least  $\frac{2}{3}$  of the members agree to the proposed resolution in writing or by electronic communication.

#### **Example of electronic communication**

email

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

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

- (1) A member of the council who has an interest in a matter being considered or about to be considered by the council must, 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) must be recorded in the minutes of the meeting of the council and the member must not, unless the council otherwise decides—
- (a) be present during any deliberation of the council in relation to that matter; or
  - (b) take part in any decision of the council in relation to that matter.
- (3) For the purpose of making a decision under subsection (2), a member of the council who has an interest in the matter concerned must not—
- (a) be present during any deliberation of the council for the purpose of making the decision; or
  - (b) take part in making the decision.
- (4) This section has effect subject to the statutes.

## **15 Vacation of office**

- (1) The office of a member of the council becomes vacant if the member—
- (a) becomes disqualified under section 12 from remaining a member of the council; or
  - (b) is removed from office under section 12A (4) (Duties of members of council); or
  - (c) dies; or
  - (d) resigns from the council; or
  - (e) is absent without leave of the council from 3 consecutive meetings of the council; or
  - (f) for a member mentioned in section 11 (1) (e), (f), (g) or (h)— ceases to be qualified to be elected as mentioned in the paragraph concerned.

- (2) If a person holding office as a member of the council mentioned in 1 of the paragraphs of section 11 (1) is, before otherwise ceasing to hold the office, appointed as chancellor or vice-chancellor, the person ceases, on being the appointed, to hold that firstmentioned office.
- (3) If the office of a member mentioned in section 11 (1) (d) becomes vacant, the council must, in writing, notify the Minister of that fact.

## **16 Casual vacancies**

- (1) A casual vacancy in the membership of the council is to be filled—
  - (a) if the statutes make provision for the filling of the casual vacancy—as provided by the statutes; or
  - (b) in any other case—as provided in section 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.
- (3) In this section:

*casual vacancy*, in the membership of the council, includes an office of a member mentioned in section 11 (1) (e), (f), (g) or (h) that is vacant and cannot be filled by an election because no nomination has been received for the office.

## **17 Delegation by council**

- (1) The council may delegate its functions under this Act to—
  - (a) a member of the council; or
  - (b) a committee that includes a member of the council; or
  - (c) a member of the staff of the university; or
  - (d) any other person approved by the council.

*Note* For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

- (2) However, the council must not delegate its power to make statutes.
- (3) A function delegated to a committee mentioned in subsection (1) (b) must be exercised by a majority of the members of the committee acting together.
- (4) A delegate may, subject to the statutes, subdelegate to an entity mentioned in subsection (1) a function delegated under that subsection.

## **Division 2.3            The 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 the vice-chancellor's nominee;
- (b) the chairperson appointed under section 21;
- (c) the heads of faculties;
- (d) the heads of the other bodies mentioned in section 8 that are designated by the council for this section;
- (e) the other members of the academic staff that are specified in, or chosen as provided by, the statutes;
- (f) the students of the university that are elected by students in accordance with the statutes;

- (g) the other people (if any) that the council appoints after receiving the advice of the board itself.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.

## **21 Chairperson of board**

- (1) The council must appoint the chairperson of the board.
- (2) The chairperson must be a professor of the university.
- (3) In deciding the appointment of the chairperson, the council must consider any recommendation of the vice-chancellor.
- (4) The chairperson holds office on the conditions and for the period stated in the statutes.

## **22 Terms of office of board members**

- (1) A member of the board mentioned in section 20 (e) or (f) holds office, subject to this Act and to the statutes, for the period specified in the statutes.
- (2) A member of the board mentioned in section 20 (g) holds office, subject to this Act and to the statutes, for the period specified in the instrument appointing that member.
- (3) If a person holding office as a member mentioned in 1 of the paragraphs of section 20 becomes, before otherwise ceasing to hold the office, a member mentioned in another of those paragraphs, the person ceases, on becoming such a member, to hold the firstmentioned office.
- (4) If a person becomes a member of the board because of the filling of a casual vacancy in the office of a member mentioned in section 20 (e) or (f) (including a casual vacancy happening 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 the chairperson is present.
- (2) If the chairperson—
  - (a) is not present; or
  - (b) declines to preside;at a meeting of the board, the members present must elect 1 of the members present to preside at the meeting.
- (3) At a meeting of the board, a quorum consists of a majority of the people for the time being holding office as members of the board.

## Division 2.4 Senior officers of university

### 24 Chancellor

- (1) The council must appoint a member of the council or someone else to be the Chancellor of the university.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.
- (2) The chancellor holds office for the period, and on the conditions, subject to the statutes, that the council decides.
- (3) A person is not eligible to be appointed as the chancellor if the person is disqualified from managing corporations under the [Corporations Act](#), part 2D.6 (Disqualification from managing corporations).
- (4) The council may, by special resolution, end a person's appointment as chancellor if the council considers it in the best interests of the university to end the appointment.

*Note* A chancellor's appointment also ends if the chancellor resigns (see [Legislation Act](#), s 210), or may end if the chancellor fails to comply with a duty under s 12A (1) or (2) (see s 12A (4)).

- (5) In this section:

*special resolution*, of the council, means a resolution passed by at least  $\frac{2}{3}$  of the total members of the council for the time being at 2 consecutive meetings of the council.

## **24A Deputy chancellor**

- (1) The council must appoint a member of the council to be the Deputy Chancellor of the university.

*Note* For the making of appointments (including acting appointments), see the [Legislation Act](#), pt 19.3.

- (2) The deputy chancellor holds office for the period, and on the conditions, subject to the statutes, that the council decides.

- (3) The deputy chancellor acts as the chancellor—

- (a) during any vacancy in the office of chancellor; or
- (b) when the chancellor is for any reason unable to exercise the functions of the office of chancellor.

- (4) The council may, by special resolution, end a person's appointment as deputy chancellor if the council considers it in the best interests of the university to end the appointment.

*Note* A deputy chancellor's appointment also ends if the deputy chancellor resigns (see [Legislation Act](#), s 210), or may end if the deputy chancellor fails to comply with a duty under s 12A (1) or (2) (see s 12A (4)).

- (5) In this section:

*special resolution*, of the council—see section 24 (5).

## **25 Vice-chancellor and president**

- (1) The council must 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 the functions that the statutes prescribe or, subject to the statutes, the council decides.
- (3) The vice-chancellor holds office for the period, and on the conditions, subject to the statutes, that the council decides.
- (4) A person is not eligible to be appointed as the vice-chancellor if the person is disqualified from managing corporations under the [Corporations Act](#), part 2D.6 (Disqualification from managing corporations).

## **Division 2.5                      Miscellaneous**

### **28                      Execution of contracts**

- (1) Any contract that, if made between private people, 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 anyone acting with the authority of the council, express or implied, and, if such a contract is made in writing, it may be executed on behalf of the university by the 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 because of—
- (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; or
  - (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; or
  - (c) a defect in the calling of a meeting.

## **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 honestly in the exercise, or purported exercise, of a function under this Act.

## Part 3 Financial and commercial matters

### Division 3.1 Fees

#### 30 Fees

Fees payable to the university, including student contribution amounts and tuition fees, are payable in accordance with the statutes.

### Division 3.2 Finances of university

#### 33 Application of fees and other money

The council must apply the following only for the purposes of the university:

- (a) any financial assistance paid to the university under the [Commonwealth Act](#);
- (b) student contribution amounts paid to the university under the [Commonwealth Act](#);
- (c) tuition fees paid to the university under the [Commonwealth Act](#);
- (d) any other money received by the university under this Act or otherwise.

#### 34 Borrowing

- (1) Subject to subsection (2), the university may borrow money.
- (2) The university's power to borrow is subject to the limits that the Treasurer decides about—
  - (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 Financial Management Act 1996**

- (1) The *Financial Management Act 1996*, part 6 (Borrowing and guarantees) applies in relation to the university as if section 45 (Loans to be paid into territory banking account) were omitted.
- (2) The *Financial Management Act 1996*, part 8 (Financial provisions for territory authorities) applies in relation to the university as if—
  - (a) a reference to the **governing board** of the university were a reference to the council; and
  - (b) a reference to the **chair** of the governing board were a reference to the chancellor; and
  - (c) a reference to the **chief executive officer** of the university were a reference to the vice-chancellor; and
  - (d) the part were modified as set out in schedule 1.
- (3) The *Financial Management Act 1996*, section 98 (Limitations on authorities forming corporations etc) and section 99 (Limitations on authorities taking part in joint ventures and trusts) apply in relation to the university as if those sections were modified as set out in schedule 2.
- (4) The *Financial Management Act 1996*, part 10 (Miscellaneous) applies in relation to the university as if section 130 (Act of grace payments) were omitted.

### **36 Annual report**

The council must, 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 3.3 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 and, while the university is a participant in the corporation or joint venture, remain consistent with the functions of the university.
- (2) Without limiting 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 university research;
  - (d) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audiovisual 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.

**38 Provision of information about significant matters—  
corporation or joint venture**

- (1) The Minister or Treasurer may ask the university for financial information that is not publicly available about a company the university has formed or participated in forming, or a joint venture the university has entered, if—
  - (a) the Minister or Treasurer reasonably considers the information is necessary to protect the interests of the Territory; and
  - (b) the information relates to a matter of significance being undertaken by the university.
- (2) The university must comply with the request within a reasonable time after receiving it.
- (3) In this section:

*matter of significance*—a matter to which financial information relates is a *matter of significance* if—

- (a) it is significant when interpreted in accordance with accounting standards relating to materiality ordinarily used in Australia when the decision about whether it is significant is made; or
- (b) a document published by the university identifies it as significant (however described); or
- (c) a memorandum of understanding or other agreement between the Minister or Treasurer and the university identifies it as significant (however described); or
- (d) it is prescribed under the financial management guidelines.

## Part 4 Statutes

### 40 Statutes

- (1) The council may make statutes for this Act.
- (2) The council may make statutes in relation 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 on—
    - (i) students of the university; or
    - (ii) people 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 election;
  - (d) the people who are to be regarded, for this Act, as members of the academic staff;
  - (e) in relation to the council or the board—
    - (i) the manner and time of calling, holding and adjourning its meetings; and
    - (ii) voting at a meeting (including postal or proxy voting); and
    - (iii) disclosure of interests at a meeting; and
    - (iv) the appointment and functions of a chairperson at a meeting; and
    - (v) the conduct and recording of business at a meeting; and
    - (vi) the appointment of committees; and

- (vii) the quorum for a committee meeting and the functions of a committee;
- (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 relation to 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;
- (i) the employment of members of staff of the university, including the terms and conditions of the employment and the termination of the employment;
- (j) the appointment of people to positions of responsibility within the university, the terms and conditions of the appointments and the termination of the appointments;
- (k) the admission and enrolment of students;
- (l) the times, places and manner of holding lectures, classes and examinations, and the number and character of the lectures, classes and examinations;
- (m) the promotion and extension of university teaching;
- (n) the granting of degrees, diplomas, certificates and honours;
- (o) the granting of fellowships, scholarships, exhibitions and bursaries;
- (p) the admission—
  - (i) of people who are undertaking or have undertaken studies at another institution to any corresponding status within the university; or

- (ii) of people who hold degrees, diplomas or other awards granted by other institutions to any corresponding degree, diploma or other award of the university without examination;
- (q) the exemption of people 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;
- (r) the payment to the university of—
  - (i) fees, including student contribution amounts and tuition fees, within the meaning of fee in the [Commonwealth Act](#), section 19-102; or
  - (ii) fees not included within the meaning of fee by the [Commonwealth Act](#), section 19-102;
- (s) the establishment, management and control of libraries, laboratories and museums in connection with the university;
- (t) the establishment or affiliation of residential colleges;
- (u) the affiliation or admission to the university of any education or research establishment wherever it is;
- (v) the control and investment of the property of the university;
- (w) the provision of superannuation or similar benefits for, and for the families of, the vice-chancellor and other people 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 in relation 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 mentioned in section 41 (1); or
  - (b) for carrying out or giving effect to a statute dealing with a matter mentioned in section 41 (1) except to the extent that the rules or orders are made in relation to the discipline of the university and provide for the enforcement of such a statute.

#### **41 Statutes about traffic**

- (1) The council may make statutes for the regulation or control of traffic (a *traffic statute*) on land occupied by the university in the ACT, including—
  - (a) the parking, stopping, standing or leaving of vehicles; and
  - (b) the erection and effect of signs and markings.
- (2) A traffic statute may create offences for contraventions of a traffic statute and prescribe maximum penalties of not more than 2 penalty units for the offences.
- (3) A traffic statute must not be inconsistent with another territory law.

- (4) However, a traffic statute must not be treated as being inconsistent with another territory law only because it makes provision in relation to a matter dealt with by the other territory law if the provision can be complied with without contravening the other law.

**42 Approval and publication of statutes**

- (1) When a statute has been made by the council—
- (a) it must be sealed with the seal of the university; and
  - (b) the chancellor must send the statute to the Executive for approval.
- (2) A statute that has been approved by the Executive is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (3) A statute that has been approved by the Executive has the force of law from the day after the statute is notified under the [Legislation Act](#).

## Schedule 1      Modifications of Financial Management Act 1996, pt 8

(see s 35 (2) (d))

### [1.1]      Section 56

*substitute*

#### **56      Responsibilities of governing boards**

- (1) This section applies to a territory authority if the authority has a governing board.
- (2) The governing board of the territory authority is responsible, under the responsible Minister, for the efficient and effective financial management of the resources for which the authority is responsible.
- (2A) The governing board of a territory authority must manage the authority in a way that promotes—
  - (a) the achievement of the purpose of the authority; and
  - (b) the financial sustainability of the authority.
- (3) Without limiting subsections (2) and (2A), the governing board of the territory authority is responsible, under the responsible Minister, for ensuring the following:
  - (a) that expenses incurred by the authority are properly authorised;
  - (b) that payments made by the authority are properly authorised and correctly made;
  - (c) that the staff of the authority comply with the requirements of this Act;

*Note*      A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including in this case the financial management guidelines (see [Legislation Act](#), s 104).

- (d) that proper accounts and records are kept of the transactions and affairs of the authority in accordance with accounting standards;
- (e) that adequate control is maintained over the assets of the authority and assets under the authority's control;
- (f) that adequate control is maintained over the incurring of liabilities by the authority.

(4) In this section:

*property* means property, other than money, that is owned or held by the territory authority or held by a person on behalf of the authority.

*resources* means money or property.

## **[1.2] Section 57**

*substitute*

### **57 Banking accounts of territory authorities**

- (1) A territory authority may open 1 or more banking accounts for the purposes of the authority.
- (2) A territory authority must at all times maintain at least 1 banking account.

## **[1.3] Section 58**

*substitute*

### **58 Investment by territory authorities**

- (1) Funds not immediately required for the purposes of a territory authority may be invested—
  - (a) on deposit with an authorised deposit-taking institution; or
  - (b) in securities of the Territory, a State or the Commonwealth; or

- (c) by the Treasurer, for the territory authority, in an investment mentioned in section 38 (1) (a) to (e); or
  - (d) in an investment prescribed under the financial management guidelines for this paragraph; or
  - (e) on deposit with an eligible money market dealer under the [Corporations Act](#); or
  - (f) in bills of exchange that—
    - (i) have been accepted by an authorised deposit-taking institution (an *ADI*); and
    - (ii) have been endorsed by 1 or more ADIs; and
    - (iii) have not been endorsed by anyone other than an ADI.
- (2) However, the funds of the territory authority may only be invested under this section to increase or protect the financial wealth of the authority.
- (3) Transfers between the territory banking account and the banking account of a territory authority to facilitate investments may be made without appropriation.
- (4) Interest received by the Treasurer for the investment of funds of a territory authority must be paid to the territory authority.
- (5) However, if an investment of funds of a territory authority is made or managed by a directorate, the directorate may deduct from the interest received by the directorate for the investment—
- (a) a fee charged by the directorate for making or managing the investment; and
  - (b) expenses reasonably incurred by the directorate in making or managing the investment.
- (6) Interest that is to be paid to a territory authority under subsection (4) may be paid direct to the territory authority or through the territory banking account.

- (7) If interest to be paid to a territory authority is paid into the territory banking account under subsection (6), the interest may be paid to the authority from that account without further appropriation.
- (8) This section does not apply to money held on trust by a territory authority.

**[1.4] Section 61 (Territory authority statements of intent)**

*omit*

**[1.5] Section 62 (Presentation of statements of intent of territory authorities)**

*omit*

**[1.6] Section 63**

*substitute*

**63 Annual financial statements of territory authorities**

- (1) A territory authority must prepare annual financial statements relating to its operations during each year.
- (2) The annual financial statements for a year must be prepared within—
  - (a) 2 months after 31 December in each year; or
  - (b) any further period that the Treasurer allows in writing.
- (3) The annual financial statements must be prepared in accordance with accounting standards.
- (4) The annual financial statements must include—
  - (a) the financial statements required under the financial management guidelines; and
  - (b) any other statement necessary to fairly reflect the financial operations of the authority during the year and its financial position at the end of the year.

**[1.7] Section 65***substitute***65 Audit of annual financial statements**

- (1) The chief executive officer of a territory authority must give the auditor-general a copy of the annual financial statements of the authority for a financial year within 2 weeks after preparing them.
- (3) The auditor-general must give the chief executive officer an audit opinion about the financial statements as soon as practicable after the auditor-general receives them.

**[1.8] Section 66***substitute***66 Presentation of annual financial statements of territory authorities**

- (1) This section applies if, under section 65 (3), the chief executive officer of a territory authority receives an audit opinion about annual financial statements of the authority.
- (2) Within 7 days after the day the chief executive officer receives the audit opinion, the chief executive officer must give the responsible Minister of the territory authority the following documents:
  - (a) a copy of the annual financial statements;
  - (b) a copy of the opinion;
  - (c) the authority's response (if any) to the opinion.
- (3) The responsible Minister must present the documents to the Legislative Assembly within 6 sitting days after the day the Minister receives them.

**[1.9] Section 67**

*substitute*

**67 Treasurer may require interim financial statements etc**

- (1) The Treasurer may, in writing, direct the chief executive officer of a territory authority to give the Minister and Treasurer financial or other statements relating to the authority.
- (2) The Treasurer must present a copy of the direction to the Legislative Assembly within 6 sitting days after the day when the Treasurer gives the direction.
- (3) The relevant person must prepare the statements required by the direction and give them to the responsible Minister and Treasurer within 1 month after the day the person receives the direction or, if a longer period for compliance is stated in the direction, within the longer period.
- (4) In this section:  
*relevant person*, for a territory authority, means—
  - (a) if the authority has a governing board—the chair of the governing board; or
  - (b) if the authority does not have a governing board—the chief executive officer.

**[1.10] Section 68 (Statements of performance of territory authorities)**

*omit*

**[1.11] Section 69 (Responsibility for territory authority statements of performance)**

*omit*



**[1.12] Section 70 (Scrutiny of territory authority statements of performance)**

*omit*

**[1.13] Section 71 (Presentation of territory authority statements of performance)**

*omit*

## Schedule 2      Modifications—Financial Management Act 1996

(see s 35 (3))

### **[2.1]      Section 98**

*substitute*

#### **98      Limitations on authorities forming corporations etc**

- (1) A relevant territory authority must not do any of the following without the Treasurer's prior written approval if it is a significant activity or event:
  - (a) subscribe for, or purchase shares in or debentures or other securities of, a corporation;
  - (b) form, or take part in the formation of, a corporation.
- (2) An approval under subsection (1)—
  - (a) must relate only to a particular corporation or proposed corporation; and
  - (b) may be given subject to the conditions or restrictions stated in the approval.
- (2A) If the Treasurer has not decided whether to approve a relevant territory authority doing something mentioned in subsection (1) within 30 days after receiving notice about it, the Treasurer is taken to have given the approval.
- (3) If a relevant territory authority does something mentioned in subsection (1), the authority must tell the responsible Minister within 2 weeks after the day the authority does the thing.

- 
- (4) The responsible Minister must—
- (a) prepare a written statement setting out details of, and reasons for, the relevant territory authority’s action; and
  - (b) present the statement to the Legislative Assembly within 6 sitting days after the day the Minister is told about the action.
- (5) A statement need not include any material that is commercially sensitive.
- (6) However, if commercially sensitive information is not included in the statement, the responsible Minister must, when presenting the statement to the Legislative Assembly, also present a further statement setting out the general nature of the information and the reason for its non-inclusion in the statement.
- (7) Section 58 (Investment by territory authorities) does not apply if a relevant territory authority does something mentioned in subsection (1), whether or not the thing is a significant activity or event.
- (8) In this section:  
*significant*, in relation to an activity or event—see section 101 (2).

**[2.2] Section 99**

*substitute*

**99 Limitations on authorities taking part in joint ventures and trusts**

- (1) A relevant territory authority must not take part in a joint venture or trust if it is a significant activity or event without the Treasurer’s prior written approval.

- (2) An approval under subsection (1)—
  - (a) may apply generally or may relate to a particular proposed joint venture or trust; and
  - (b) may be given subject to the conditions or restrictions stated in the approval.
- (2A) If the Treasurer has not decided whether to approve a relevant territory authority taking part in a joint venture or trust within 30 days after receiving notice about it, the Treasurer is taken to have given the approval.
- (3) If a relevant territory authority enters into an agreement for a joint venture or trust, the authority must tell the responsible Minister within 2 weeks after the day the authority enters into the agreement.
- (4) The responsible Minister must—
  - (a) prepare a written statement setting out details of, and reasons for, the agreement; and
  - (b) present the statement to the Legislative Assembly within 6 sitting days after the day the Minister is told about the agreement.
- (5) A statement need not include any material that is commercially sensitive.
- (6) However, if commercially sensitive information is not included in the statement, the responsible Minister must, when presenting the statement to the Legislative Assembly, also present a further statement setting out the general nature of the information and the reason for its non-inclusion in the statement.

- (7) Section 58 (Investment by territory authorities) does not apply if a relevant territory authority does something mentioned in subsection (1), whether or not the thing is a significant activity or event.
- (8) In this section:  
*significant*, in relation to an activity or event—see section 101 (2).

## Dictionary

(see s 2)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- appoint
- entity
- Executive
- exercise
- function
- Minister (see s 162)
- property.

***academic staff*** means the people who are to be regarded as members of the academic staff because of statutes made under section 40 (2) (d).

***board*** means the Academic Board established by section 19.

***chancellor*** means the Chancellor of the university appointed under section 24.

***Commonwealth Act*** means the [Higher Education Support Act 2003](#) (Cwlth).

***council*** means the Council mentioned 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.

***student contribution amount***—see the [Commonwealth Act](#), section 93-5.

***tuition fee***—see the [Commonwealth Act](#), schedule 1—dictionary.

***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.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

This Act was originally a Commonwealth Act—the *University of Canberra Act 1989* A1989-179 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (2) converted some Commonwealth Acts in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 1 December 1997 when the *Education Legislation Amendment Act 1997* (Cwlth), s 14 added this Act to the list of former Commonwealth Acts that were converted into ACT enactments.

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

#### Commonwealth legislation

##### **University of Canberra Act 1989 A1989-179**

assented 28 December 1989  
commenced 1 January 1990 (s 2)

as amended by

##### **University of Canberra (Amendment) Act 1991 No 132 (Cwlth)**

assented 2 September 1991  
commenced 2 September 1991 (s 2)

##### **Sales Tax Amendment (Transitional) Act 1992 No 57 (Cwlth) sch 1**

assented 30 September 1992  
commenced 28 October 1992 (s 2)

##### **Higher Education Funding Amendment Act (No 2) 1992 No 158 (Cwlth) sch**

assented 11 December 1992  
s 1, s 2 commenced 11 December 1992 (s 2 (1))  
sch commenced 1 January 1993 (s 2 (2))

##### **University of Canberra (Cessation of Sponsorship) Regulations SR 1993-69 (Cwlth)**

notified 11 May 1993  
commenced 11 May 1993

## Endnotes

3 Legislation history

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### **Industrial Relations and other Legislation Amendment Act 1995 No 168 (Cwlth) sch 10**

assented 16 December 1995  
commenced 16 December 1995 (s 2 (1))

### **Education Legislation Amendment Act 1997 66 (Cwlth) sch 1 pt 1**

assented 30 May 1997  
commenced 30 May 1997 (s 2 (1))  
sch 1 pt 1 commenced 30 November 1997 (s 2 (3))

## **Legislation after becoming Territory enactment**

### **University of Canberra (Transfer) Act 1997 A1997-74 ss 4-18**

notified 25 November 1997 (Gaz 1997 No S360)  
s 1, s 2 commenced 25 November 1997 (s 2 (1))  
ss 4-18 commenced 1 December 1997 (s 2 (2))

### **Law Reform (Miscellaneous Provisions) Act 1999 A1999-66 sch 3**

notified 10 November 1999 (Gaz 1999 No 45)  
commenced 10 November 1999 (s 2)

### **Legislation (Consequential Amendments) Act 2001 A2001-44 pt 402**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 402 commenced 12 September 2001 (s 2 and see Gaz 2001  
No S65)

### **Statute Law Amendment Act 2002 A2002-30 pt 3.86**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.86 commenced 17 September 2002 (s 2 (1))

### **University of Canberra Amendment Act 2005 A2005-36**

notified LR 26 August 2005  
s 1, s 2 commenced 26 August 2005 (LA s 75 (1))  
remainder commenced 27 August 2005 (s 2)

### **Financial Management Legislation Amendment Act 2005 A2005-52 sch 1 pt 1.22**

notified LR 26 October 2005  
s 1, s 2 commenced 26 October 2005 (LA s 75 (1))  
sch 1 pt 1.22 commenced 1 January 2006 (s 2 (2))

**University of Canberra Amendment Act 2006 A2006-56**

notified LR 18 December 2006  
s 1, s 2 commenced 18 December 2006 (LA s 75 (1))  
remainder commenced 19 December 2006 (s 2)

**Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.162**

notified LR 30 June 2011  
s 1, s 2 commenced 30 June 2011 (LA s 75 (1))  
sch 1 pt 1.162 commenced 1 July 2011 (s 2 (1))

**University of Canberra Amendment Act 2015 A2015-8**

notified LR 7 April 2015  
s 1, s 2 commenced 7 April 2015 (LA s 75 (1))  
remainder commenced 8 April 2015 (s 2)

**Financial Management Amendment Act 2015 A2015-34 sch 1 pt 1.3**

notified LR 30 September 2015  
s 1, s 2 commenced 30 September 2015 (LA s 75 (1))  
sch 1 pt 1.3 commenced 1 October 2015 (s 2 (2))

**Red Tape Reduction Legislation Amendment Act 2016 A2016-18 sch 1**

notified LR 13 April 2016  
s 1, s 2 commenced 13 April 2016 (LA s 75 (1))  
sch 1 commenced 27 April 2016 (s 2)

**Statute Law Amendment Act 2017 A2017-4 sch 3 pt 3.34**

notified LR 23 February 2017  
s 1, s 2 commenced 23 February 2017 (LA s 75 (1))  
sch 3 pt 3.34 commenced 9 March 2017 (s 2)

**Statute Law Amendment Act 2018 A2018-42 sch 1 pt 1.9**

notified LR 8 November 2018  
s 1, s 2 taken to have commenced 1 July 2018 (LA s 75 (2))  
sch 1 pt 1.9 commenced 22 November 2018 (s 2 (1))

**COVID-19 Emergency Response Legislation Amendment Act 2020 A2020-14 sch 1 pt 1.31**

notified LR 13 May 2020  
s 1, s 2 taken to have commenced 30 March 2020 (LA s 75 (2))  
sch 1 pt 1.31 commenced 14 May 2020 (s 2 (1))

## Endnotes

3 Legislation history

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### **University of Canberra Amendment Act 2024 A2024-10**

notified LR 19 April 2024

s 1, s 2 commenced 19 April 2024 (LA s 75 (1))

remainder commenced 20 April 2024 (s 2)

## 4 Amendment history

In this table Acts and statutory rules for 1992 and earlier years are Commonwealth Acts and Acts for 1993 and later years are ACT Acts.

### Preamble

preamble om [Cwth Act 1997 No 66](#) sch 1 amdt 2

### Title

title am [Cwth Act 1997 No 66](#) sch 1 amdt 1  
sub [A1997-74](#) s 4; [A2002-30](#) amdt 3.940

### Preliminary

pt 1 hdg sub [A1997-74](#) sch

### Name of Act

s 1 sub [A2002-30](#) amdt 3.941

### Dictionary

s 2 om [A2001-44](#) sch 1 amdt 1.4162  
ins [A2002-30](#) amdt 3.941

### Notes

s 3 defs reloc to dict [A2002-30](#) amdt 3.942  
om [A2002-30](#) amdt 3.943  
def **college** om [A1997-74](#) s 5  
def **College Act** om [A1997-74](#) s 5  
def **commencement** om [A1997-74](#) s 5  
pres s 3 ins [A2002-30](#) amdt 3.941

### University of Canberra

pt 2 hdg am [A1997-74](#) sch

### Establishment of university

div 2.1 hdg (prev pt 2 div 1 hdg) renum R2 LA

### Establishment of university

s 4 am [A1997-74](#) sch; [A2002-30](#) amdt 3.944

### Sponsorship by Monash University

s 5 om [Cwth SR 1993 No 69](#)

### Functions of university

s 6 am [A1997-74](#) sch; [A2002-30](#) amdt 3.945; [A2015-8](#) s 4, s 5;  
pars renum R8 LA

### Values and principles of university

s 6A ins [A1997-74](#) s 6  
am [A2002-30](#) amdt 3.945; [A2015-8](#) s 6

### Powers of university

s 7 am [A1997-74](#) sch; pars renum R2 LA; [A2002-30](#)  
amds 3.945-3.947; [A2015-8](#) ss 7-9

## Endnotes

### 4 Amendment history

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#### **The Council**

div 2.2 hdg (prev pt 2 div 2 hdg) renum R2 LA

#### **Powers of council**

s 10 am [A2015-8](#) s 10

#### **Constitution of council**

s 11 am [Cwlth Act 1991 No 132](#) s 4; [Cwlth Act 1997 No 66](#) sch 1  
amds 4-6; [A1997-74](#) s 7; pars renum R2 LA; [A2002-30](#)  
amdt 3.948, amdt 3.949; [A2005-36](#) s 4, s 6, s 7; pars renum  
R4 LA (see [A2005-36](#) s 5)  
sub [A2006-56](#) s 4  
am [A2015-8](#) s 11; ss renum R8 LA; [A2018-42](#) amdt 1.36,  
amdt 1.37; ss renum R12 LA; [A2024-10](#) s 4

#### **Appointment of council members**

s 11A ins [A2006-56](#) s 4  
am [A2024-10](#) s 4

#### **Qualifications for membership of council**

s 12 am [A1997-74](#) sch  
sub [A2005-36](#) s 8

#### **Duties of members of council**

s 12A ins [A2005-36](#) s 9

#### **Meetings of council**

s 13 am [A1997-74](#) s 8; ss renum R2 LA

#### **Resolutions without meeting**

s 13A ins [A2006-56](#) s 5

#### **Disclosure of interests of members**

s 14 am [A1997-74](#) sch; [A2005-36](#) s 10

#### **Vacation of office**

s 15 am [Cwlth Act 1991 No 132](#) s 5; [Cwlth Act 1997 No 66](#) sch 1  
amdt 7; [A1997-74](#) sch; [A2002-30](#) amdt 3.950, amdt 3.951;  
[A2005-36](#) ss 11-13; pars renum R4 LA (see [A2005-36](#) s 14);  
[A2006-56](#) s 6, s 7; [A2024-10](#) s 4

#### **Casual vacancies**

s 16 am [A2015-8](#) s 12

#### **Delegation by council**

s 17 sub [A2002-30](#) amdt 3.952  
am [A2015-8](#) s 13; [A2024-10](#) s 5

#### **Delegation to committee of council**

s 18 om [A2002-30](#) amdt 3.952

#### **The board**

div 2.3 hdg (prev pt 2 div 3 hdg) renum R2 LA

**Constitution of board**

s 20 am [Cwth Act 1997 No 66](#) sch 1 amdt 8; [A1997-74](#) sch; pars  
renum R2 LA; [A2002-30](#) amdt 3.953

**Chairperson of board**

s 21 am [A1997-74](#) sch  
sub [A2006-56](#) s 8

**Terms of office of board members**

s 22 am [Cwth Act 1997 No 66](#) sch1 amdt 9; [A1997-74](#) sch

**Meetings of board**

s 23 am [A1997-74](#) sch

**Senior officers of university**

div 2.4 hdg (prev pt 2 div 4 hdg) renum R2 LA

**Chancellor**

s 24 am [Cwth Act 1991 No 132](#) s 6; [A1997-74](#) sch; [A2002-30](#)  
amdt 3.953; [A2005-36](#) s 15; [A2015-8](#) s 14

**Deputy chancellor**

s 24A ins [A1997-74](#) s 9  
am [A2002-30](#) amdt 3.953, amdt 3.594; [A2005-36](#) s 16;  
[A2015-8](#) s 15

**Vice-chancellor and president**

s 25 am [A1997-74](#) s 10; [A2002-30](#) amdt 3.955; [A2005-36](#) s 17

**Remuneration and allowances**

s 26 om [Cwth Act 1995 No 168](#) sch 10

**Acting appointments**

s 27 sub [A1997-74](#) s 11  
om [A2002-30](#) amdt 3.956

**Miscellaneous**

div 2.5 hdg (prev pt 2 div 5 hdg) renum R2 LA

**Validity of acts and proceedings**

s 29 am [A1997-74](#) sch; [A2002-30](#) amdt 3.957, amdt 3.958

**Immunity from suit**

s 29A sub [A1997-74](#) s 12  
am [A2002-30](#) amdt 3.959

**Financial and commercial matters**

pt 3 hdg sub [A1997-74](#) s 13

**Fees**

div 3.1 hdg (prev pt 3 div 1 hdg) renum R2 LA

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### 4 Amendment history

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#### **Fees**

s 30 sub [Cwth Act 1992 No 158](#) sch  
am [A1997-74](#) sch  
sub [A2006-56](#) s 9

#### **Guidelines relating to certain fees**

s 31 om [Cwth Act 1992 No 158](#) sch

#### **Finances of university**

div 3.2 hdg (prev pt 3 div 2 hdg) renum R2 LA

#### **Money payable to university**

s 32 om [Cwth Act 1992 No 158](#) sch

#### **Application of fees and other money**

s 33 am [Cwth Act 1992 No 158](#) sch; [A1997-74](#) sch  
sub [A2006-56](#) s 10

#### **Application of Financial Management Act 1996**

s 35 hdg sub [A2015-34](#) amdt 1.10; [A2016-18](#) amdt 1.1  
s 35 sub [A1997-74](#) s 14; [A2002-30](#) amdt 3.960  
am [A2005-52](#) amdt 1.269; [A2015-34](#) amdt 1.11; [A2016-18](#)  
amdt 1.2; ss renum R10 LA

#### **Annual report**

s 36 sub [A1997-74](#) s 14

#### **Companies and joint ventures**

div 3.3 hdg (prev pt 3 div 3 hdg) ins [A1997-74](#) s 14  
renum R2LA

#### **Formation and participation**

s 37 sub [A1997-74](#) s 14  
am [A2016-18](#) amdt 1.3, amdt 1.4

#### **Provision of information about significant matters—corporation or joint venture**

s 38 am [Cwth Act 1992 No 118](#) sch  
om [Cwth Act 1997 No 66](#) sch 1 amdt 10  
ins [A1997-74](#) s 14  
am [A1999-66](#) sch  
sub [A2016-18](#) amdt 1.5

#### **Annual report and financial statements**

s 39 am [Cwth Act 1991 No 132](#) s 7  
om [A1997-74](#) s 14

#### **Statutes**

pt 4 hdg am [A1997-74](#) sch



**Statutes**

s 40 am [Cwth Act 1992 No 158](#) sch; [A1997-74](#) sch; [A2001-44](#) sch  
1 amdt 1.4163, amdt 1.4164; pars renum R2 LA; [A2002-30](#)  
amdt 3.961, amdt 3.962; [A2005-36](#) s 18; [A2006-56](#) s 11

**Statutes relating to traffic**

s 41 am [A1997-74](#) sch  
sub [A2002-30](#) amdt 3.963

**Approval and publication of statutes**

s 42 am [A1997-74](#) s 15; [A2001-44](#) sch 1 amdt 1.4165,  
amdt 1.4166; [A2002-30](#) amdt 3.964, amdt 3.965

**Miscellaneous**

pt 5 hdg om [A1997-74](#) s 16  
ins [A2015-8](#) s 16  
om R14 LA

**Review of Act**

s 43 om [A1997-74](#) s 16  
ins [A2015-8](#) s 16  
am [A2020-14](#) amdt 1.136, amdt 1.137  
exp 8 April 2022 (s 43 (4))

**Repeal**

s 44 om [Cwth Act 1997 No 66](#) sch 1 amdt 11

**University successor in law of the college**

s 45 om [A1997-74](#) s 16

**Transfer of assets and liabilities of college**

s 46 om [A1997-74](#) s 16

**College instruments**

s 47 om [A1997-74](#) s 16

**State or Territory officer may act on certificate**

s 48 om [A1997-74](#) s 16

**Pending proceedings**

s 49 om [A1997-74](#) s 16

**First vice-chancellor**

s 50 om [Cwth Act 1997 No 66](#) sch 1 amdt 12

**Preservation of college statutes**

s 51 om [A1997-74](#) s 16

**Staff of the college**

s 52 om [A1997-74](#) s 16

**Transfer of appropriated money**

s 53 om [Cwth Act 1997 No 66](#) sch 1 amdt 12

## Endnotes

4 Amendment history

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### Annual report and financial statements

s 54 om [Cwth Act 1997 No 66](#) sch 1 amdt 12

### Application of division

s 55 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Council members elected by graduates

s 56 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Council members representing academic staff

s 57 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Council members representing general staff

s 58 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Council members representing students

s 59 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Order in which appointees go out of office

s 60 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Amendments of Acts

s 61 om [Cwth Act 1997 No 66](#) sch 1 amdt 13

### Modifications of Financial Management Act 1996, part 8

sch 1 ins [A2002-30](#) amdt 3.966  
sub [A2005-52](#) amdt 1.270  
am [A2011-22](#) amdt 1.453; [A2015-34](#) amdts 1.12-1.16;  
[A2017-4](#) amdt 3.199

### Modifications—Financial Management Act 1996

sch 2 ins [A2016-18](#) amdt 1.6

### Dictionary

dict ins [A2002-30](#) amdt 3.967  
am [A2015-8](#) s 17; [A2024-10](#) s 6  
def **academic staff** reloc from s 3 [A2002-30](#) amdt 3.942  
def **board** reloc from s 3 [A2002-30](#) amdt 3.942  
def **chancellor** am [Cwth Act 1991 No 132](#) s 3  
reloc from s 3 [A2002-30](#) amdt 3.942  
def **Commonwealth Act** ins [A2006-56](#) s 12  
def **council** reloc from s 3 [A2002-30](#) amdt 3.942  
def **deputy chancellor** ins [A1997-74](#) s 5  
reloc from s 3 [A2002-30](#) amdt 3.942  
def **elect** reloc from s 3 [A2002-30](#) amdt 3.942  
def **general staff** reloc from s 3 [A2002-30](#) amdt 3.942  
def **statute** reloc from s 3 [A2002-30](#) amdt 3.942  
def **student contribution amount** ins [A2006-56](#) s 12

def **tuition fee** ins [A2006-56](#) s 12  
def **university** reloc from s 3 [A2002-30](#) amdt 3.942  
def **vice-chancellor** am [Cwth Act 1997 No 66](#) sch 1 amdt 3  
sub [A1997-74](#) s 5  
reloc from s 3 [A2002-30](#) amdt 3.942

## Endnotes

### 5 Earlier republications

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#### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	<a href="#">A1997-74</a>	31 December 1997
2	<a href="#">A2001-44</a>	31 January 2002
3	<a href="#">A2002-30</a>	17 September 2002
4	<a href="#">A2005-36</a>	27 August 2005
5	<a href="#">A2005-52</a>	1 January 2006
6	<a href="#">A2006-56</a>	19 December 2006
7	<a href="#">A2011-22</a>	1 July 2011
8	<a href="#">A2015-8</a>	8 April 2015
9	<a href="#">A2015-34</a>	1 October 2015
10	<a href="#">A2016-18</a>	27 April 2016
11	<a href="#">A2017-4</a>	9 March 2017
12	<a href="#">A2018-42</a>	22 November 2018
13	<a href="#">A2020-14</a>	14 May 2020
14	<a href="#">A2020-14</a>	9 April 2022

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