

2007

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Education and Training)

# Canberra Institute of Technology Amendment Bill 2007

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## A Bill for

An Act to amend the *Canberra Institute of Technology Act 1987*

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

1 **1 Name of Act**

2 This Act is the *Canberra Institute of Technology Amendment*  
3 *Act 2007*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on  
7 the notification day (see Legislation Act, s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Canberra Institute of Technology Act 1987*.

10 **4 Section 30**

11 *substitute*

12 **30 Council members**

13 The council has 12 members.

14 **31 Appointment of council members**

15 (1) The Minister may appoint the council members.

16 *Note 1* For the making of appointments (including acting appointments), see  
17 the Legislation Act, pt 19.3.

18 *Note 2* In particular, an appointment may be made by naming a person or  
19 nominating the occupant of a position (see Legislation Act, s 207).

20 *Note 3* Certain Ministerial appointments require consultation with an Assembly  
21 committee and are disallowable (see Legislation Act, div 19.3.3).

22 (2) The Minister must ensure that there is always—

23 (a) 1 member who represents an organisation that represents the  
24 teaching staff; and

25 (b) 1 member who represents the student body; and

- 1 (c) 7 members who represent the interests of industry and  
2 commerce; and
- 3 (d) 2 members, not representing the interests of industry or  
4 commerce, who have experience and knowledge relevant to the  
5 functions of the council; and
- 6 (e) 1 member who has skills in and knowledge of vocational  
7 education and training.
- 8 (3) The Minister must not appoint the director as a member.
- 9 (4) In deciding whether to appoint a person as a member, the Minister  
10 must have regard to the desirability of ensuring that there is a  
11 balance of skills, expertise and gender among the council members.
- 12 (5) The Minister must not appoint a member for longer than 3 years.
- 13 *Note* A person may be reappointed to a position if the person is eligible to be  
14 appointed to the position (see Legislation Act, s 208 and dict, pt 1,  
15 def *appoint*).
- 16 (6) The conditions of appointment of a member are the conditions  
17 agreed between the Minister and the member subject to any  
18 determination under the *Remuneration Tribunal Act 1995*.

## 19 **32 Appointment of chair and deputy chair**

- 20 (1) The Minister may appoint a council member as chair of the council  
21 and another member as deputy chair of the council.
- 22 (2) However, the Minister must not appoint a member of staff as chair  
23 or deputy chair.
- 24 (3) The Minister must try to ensure that the council always has a chair  
25 and a deputy chair.

## 26 **5 Ending council member appointments** 27 **Section 32**

28 *renumber as section 33*

1 **6 New part 9**

2 *insert*

3 **Part 9 Review of decisions**

4 **61 Reviewable decisions**

5 Each of the following decisions of the director is a *reviewable*  
6 *decision*:

- 7 (a) refusing to admit a person to a course of study or instruction of  
8 the institute or to an examination of the institute under  
9 section 19 (c);
- 10 (b) refusing to confer an award (other than an honorary award) on  
11 a person under section 19 (d).

12 **62 Review of decisions**

13 Application may be made to the AAT for review of a reviewable  
14 decision.

15 **63 Notice of reviewable decisions**

- 16 (1) If the director makes a reviewable decision, the director must give  
17 written notice of the decision to each person affected by the  
18 decision.
- 19 (2) The notice must be in accordance with the requirements of the code  
20 of practice in force under the *Administrative Appeals Tribunal*  
21 *Act 1989*, section 25B (1).

22 **7 Miscellaneous**  
23 **Part 9**

24 *renumber as part 10*

- 1 **8 Delegation by director**  
2 **Section 62**
- 3 *renumber as section 64*
- 4 **9 Sections 63 and 64**
- 5 *omit*
- 6 **10 Dictionary, definition of *chairperson***
- 7 *substitute*
- 8 *chair* means the chair of the council appointed under section 32.
- 9 **11 Dictionary, definition of *deputy chairperson***
- 10 *substitute*
- 11 *deputy chair* means the deputy chair of the council appointed under  
12 section 32.
- 13 **12 Dictionary, new definition of *reviewable decision***
- 14 *insert*
- 15 *reviewable decision*—see section 61.
- 16 **13 Further amendments, mentions of *chairperson***
- 17 *omit*
- 18 chairperson
- 19 *substitute*
- 20 chair
- 21 *in*
- 22 • section 38
- 23 • section 40
- 24 • section 41

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2007.

**2 Notification**

Notified under the Legislation Act on 2007.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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