

Queensland



UNIVERSITY OF QUEENSLAND ACT 1965

**Reprinted as in force on 19 January 1996
(includes amendments up to Act No. 58 of 1995)**

Reprint No. 1

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Information about this reprint

This Act is reprinted as at 19 January 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use gender neutral office names (s 25)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- reorder provisions consistent with current drafting practice (s 30A)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 36, 37, 38 and 39)
- omit unnecessary referential words (s 41)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43)
- correct minor errors (s 44).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of changed citations and remade laws**
 - **table of obsolete and redundant provisions**
 - **table of corrected minor errors**
 - **table of renumbered provisions.**

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1965**

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UNIVERSITY OF QUEENSLAND ACT 1965

[as amended by all amendments that commenced on or before 19 January 1996]

An Act to consolidate and amend the law relating to the University of Queensland

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *University of Queensland Act 1965*.

Repeals and savings

3.(1) The Acts mentioned in the schedule to this Act are repealed to the extent therein indicated.

(1A) The said Acts are, in this Act, referred to as the “repealed Acts”.

(2) Unless otherwise expressly provided herein every proclamation, order in council, regulation, statute, registration, register or other act of authority made, granted, issued, renewed, given, kept or done under the repealed Acts, or under the regulations or statutes under the repealed Acts, or any of them and in force at the commencement of this Act shall, subject to this Act, be deemed to be a proclamation, order in council, regulation, statute, register or other act of authority made, granted, issued, renewed, given, kept or done under this Act or, as the case may be, under the regulations or statutes under the repealed Acts and shall continue in force accordingly until it expires by effluxion of time or is repealed, amended or otherwise modified, revoked, cancelled, suspended or surrendered, or ceases to be kept, as the case may be under this Act.

(2A) Every such proclamation, order in council, regulation, statute, registration, register or other act of authority shall be read and construed

subject to this Act.

(2B) In subsections (2) and (2A)—

“**statute**” includes every and any rule made pursuant to statute.

(3) The vice-chancellor, deputy vice-chancellor and all deans, professors, readers, lecturers, examiners and other officers and servants of the university appointed under the repealed Acts or any of them and in office at the commencement of this Act shall, subject to this Act, continue to hold their offices in terms of their appointments thereto respectively under and for the purposes of this Act and shall, without further or other appointment, be deemed to be appointed under and for the purposes of this Act.

(4) The persons who immediately prior to the commencement of this Act held the offices respectively of chancellor and deputy chancellor of the senate pursuant to the repealed Acts, shall upon the commencement of this Act be respectively the chancellor and deputy chancellor of the senate pursuant to this Act and each of them shall, subject to this Act respectively continue to be the chancellor and deputy chancellor of the senate until the election of a chancellor and a deputy chancellor respectively is first held under the provisions of this Act.

(5) The person who immediately prior to the commencement of this Act held the office of warden of the council pursuant to the repealed Acts shall upon the commencement of this Act be the warden of convocation and shall, subject to this Act, continue to be the warden until the election of a warden is first held under the provisions of this Act.

Interpretation

4. In this Act—

“**company**” includes, for the purposes of sections 5(1)(ca), 31C, 31E and 31F, a corporation within the meaning of the Companies (Queensland) Code, an association or a partnership.

“**convocation**” means the convocation of the university as constituted by this Act.

“**rules**” means rules made by the senate under the authority of this Act.

“**senate**” means the senate of the university as constituted by this Act.

“**statutes**” means the statutes of the university made under the authority of this Act.

“**university**” means the University of Queensland, the body corporate preserved, continued in existence and constituted by and under this Act.

“**vehicle**” means a vehicle within the meaning of the *Traffic Act 1949*.

PART 2—CONSTITUTION AND GOVERNMENT OF THE UNIVERSITY

Division 1—The university

Constitution of university

5.(1) The University of Queensland established under the repealed Acts is hereby preserved, continued in existence and constituted under this Act as a body corporate under the name of the University of Queensland and by that name shall have perpetual succession, and shall have a common seal, and be capable by that name of—

- (a) suing and being sued;
- (b) compounding or proving in any court of competent jurisdiction all debts or sums of money due to it;
- (c) acquiring, holding, dealing with and disposing of real and personal property (whether situated in Queensland or elsewhere);
- (ca) causing the formation of companies, and becoming a member of or managing any company or companies for any purpose which may seem directly or indirectly calculated to further the objects, functions or powers of the university or to benefit the university in any way whatsoever;
- (d) doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

Composition of body corporate

- (2) The university shall consist of—
- (a) the members of the senate; and
 - (b) the members for the time being of convocation; and
 - (c) the academic staff employed for the time being by the university; and
 - (d) all persons who are for the time being enrolled students of the university.

Division 2—The senate**Constitution of senate**

6.(1) Subject to subsection (2), there shall be a senate of the university consisting of—

- (a) the following persons who shall be members ex officio—
 - (i) the vice-chancellor of the university;
 - (ii) the Director-General of Education;
 - (iii) the president of the academic board of the university;
 - (iv) the president of the University of Queensland Staff Association who shall not, however, be an ex-officio member of the senate unless he or she is elected as president by a postal ballot at which all members of the association are entitled to vote;
 - (v) the president of the University of Queensland Union who shall not, however, be an ex-officio member of the senate unless he or she is elected as president by a general ballot at which all members of the union are entitled to vote;
 - (vi) the Anglican Archbishop of Brisbane;
 - (vii) the Roman Catholic Archbishop of Brisbane; and
- (b) the following persons (“**appointed members**”)—
 - (i) 11 persons, 2 of whom shall be members of the Legislative

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Assembly, appointed by the Governor in Council;

- (ii) 1 member of the academic board of the university appointed by that board;
- (iii) 3 persons appointed by and from the full-time graduate staff of the university;
- (iiia) 1 person appointed by and from the full-time staff (being the full-time staff other than the staff referred to in subparagraph (iii)) of the university;
- (iv) 2 students of the university appointed by and from the body of students of the university;
- (v) 1 person appointed by the Queensland Council of Churches;
- (vi) 8 persons appointed by convocation, but so that there shall not be included in the members appointed by convocation more than 2 persons who at the time of appointment are full-time members of the teaching staff of the university.

(2) The senate may from time to time appoint a person or persons (not being a member or members of the teaching staff of the university) to be a member or, as the case may be, members of the senate.

(2A) However—

- (a) the number of such persons so appointed shall not at any one time exceed 2; and
- (b) the term of office of a member appointed in pursuance of subsection (2) shall, subject to this Act, terminate on the same day as the terminating day of those appointed members who are in office at the date of the appointment.

(3) A person who but for this subsection would have been eligible for appointment to the senate under more than one of subparagraphs of subsection (1)(b)(ii) to (iv) and (vi) shall be eligible for appointment under such one only of those subparagraphs as the person may by notice in writing to the registrar of the university elect.

(3A) A person being a member of more than 1 body or class of persons referred to in any of the subparagraphs referred to in subsection (3) shall be entitled to vote at the election held to determine the person or persons to be appointed by that body or class of persons of which the person is a member

which is first mentioned in subsection (1)(b), and shall not be entitled to vote at any other election held to determine the person or persons to be appointed under any other of the subparagraphs for the same term of office of the senate at which the person would but for this subsection have been entitled to vote.

(3B) However, a member of convocation of not less than 5 years standing who is an enrolled student of the university shall be entitled to vote at an election held to determine the persons to be appointed to the senate under subsection (1)(b)(vi) and shall not be entitled to vote at an election to determine students to be appointed to the senate under subsection (1)(b)(iv).

(4) If a body or person required by this section to appoint a person or number of persons to be a member or members of the senate fails or refuses to appoint a sufficient number of such persons by the date determined by the senate pursuant to section 8, the Minister may, on the advice of the senate, appoint a sufficient number of persons who shall be deemed to have been appointed by the body or person who should have appointed him, her or them.

(5) A person (not being a person who is a member of the senate) appointed at any time to act in, or who according to law acts in, the office of an ex-officio member of the senate shall, subject to this section, while so acting also act as a member of the senate in the place of the person in whose office the person is acting and while so acting shall have and may exercise all the powers, functions and authorities of, and shall perform all the duties of, a member of the senate.

(6) If an appointed member of the senate is or may be prevented by absence, illness or other cause whatsoever from performing duties as a member of the senate and the chancellor is of the opinion that the member will be so prevented from performing those duties for a period of not less than 6 calendar months, then—

- (a) in the case of a member appointed under subsection (1)(b)(i)—the Governor in Council;
- (b) in the case of a member appointed under subsection (1)(b)(ii)—the academic board of the university;
- (c) in the case of a member appointed under subsection (1)(b)(v)—the Queensland Council of Churches;

- (d) in the case of any other appointed member of the senate—the person, executive or other group charged with the management of the affairs of a body or organisation which, in the opinion of the senate, is representative of the class or category of persons by whom such member was appointed or if, in the opinion of the senate, there is no such body or organisation, the senate;

may appoint some other eligible person to act as a member of the senate in place of the member during such time as the member is prevented from performing those duties, and the person appointed while so acting shall have and may exercise all the powers, functions and authorities of, and shall perform all the duties of, a member of the senate.

Appointment and term of office of members of the senate

8.(1) The appointed members of the senate shall, subject to this Act, hold office for a term of 3 years.

(2) The bodies or persons required to appoint a person or persons to be a member or members of the senate pursuant to section 6 shall notify the vice-chancellor of such appointment by such date as shall from time to time be determined by the senate.

Disqualifications from office

9.(1) A person who—

- (a) is an undischarged bankrupt or as a debtor takes advantage of the laws in force for the time being relating to bankrupt or insolvent debtors; or
- (b) has been convicted in Queensland of an indictable offence or has been convicted elsewhere than in Queensland in respect of an act or omission which if done or made by the person in Queensland would have constituted an indictable offence; or
- (c) is a patient within the meaning of the *Mental Health Act 1974*;

shall not be capable of being or continuing to be a member of the senate.

Vacation of office

(2) An appointed member shall be deemed to have vacated office as an

appointed member if the member—

- (a) dies; or
- (b) is absent from every meeting of the senate, of which due notice has been given to the member, in any period of 6 months without leave granted by the senate; or
- (c) resigns such office by signed notice delivered to the chancellor; or
- (d) becomes an ex-officio member; or
- (e) ceases to hold office or qualification essential to his or her appointment as a member of the senate in terms of section 6(1)(b).

Casual appointments to senate

10.(1) If from any cause, other than expiration of the term of office, a vacancy occurs in the office of an appointed member of the senate (other than an appointed member appointed in pursuance of section 6(2)), the senate shall appoint a date on or before which a person is to be appointed to fill such casual vacancy.

(1AA) The appointment of a person to fill such a casual vacancy shall be made on or before the date so appointed.

(1A) If such casual vacancy occurs in respect of a member appointed under section 6(1)(b)(iii) to (iv) or (vi), the person to be appointed to fill the vacancy shall be appointed by the person, executive or other group charged with the management of the affairs of a body or organisation which, in the opinion of the senate, is representative of the class or category of persons by whom such member was appointed or if, in the opinion of the senate, there is no such body or organisation, by the senate.

(2) If the body or person required by this Act to appoint a person or number of persons to be a member or members of the senate fails to appoint a sufficient number of such persons on or before the date appointed by the senate the Minister may appoint a sufficient number of persons who shall be deemed to have been appointed by the body or person who should have appointed him, her or them.

(3) The person appointed to fill a casual vacancy in the membership of the senate shall hold office thereon for the remainder of the term of office of

the person's predecessor and shall, if qualified, be eligible for reappointment.

Powers of the senate

11.(1) The senate shall be the governing body of the university.

(2) Subject to this Act and the statutes, the senate shall have full power and authority from time to time to appoint and dismiss all deans, professors, readers, lecturers, examiners and other officers and servants of the university, and shall have the entire management and control of the affairs, concerns, and property of the university and may act in all matters concerning the university in such manner as appears to it best calculated to promote the interests and purposes of the university.

Delegation by senate

11A.(1) The senate may, in relation to any matter or class of matters, or in relation to any activity or function of the university, by resolution, delegate all or any of its powers and authorities, duties and functions under this Act (except this power of delegation and its powers in relation to the making of statutes or rules and its duties in relation to the annual adoption of a budget and the approval of the proposed distribution of funds referred to in section 31A(b)) to any member of or to any committee appointed by the senate, or to any officer or officers of the university.

(2) Every delegation under this section may be varied or revoked by resolution of the senate, and no delegation shall prevent the exercise of any power, authority, duty or function by the senate.

(3) A power, authority, duty or function delegated by the senate may be exercised or performed by the delegate—

- (a) in accordance with the resolution of delegation; and
- (b) if the exercise of the power or authority or the performance of the duty or function is dependent upon the opinion, belief or state of mind of the senate in relation to a matter, upon the opinion, belief or state of mind of the delegate in relation to that matter.

Superannuation schemes

11B.(1) The senate may—

- (a) establish or amend superannuation schemes; or
- (b) join in establishing or amending superannuation schemes; or
- (c) take part in superannuation schemes.

(2) The auditor-general may audit the schemes.

(3) Subsection (2) is subject to the *Financial Administration and Audit Act 1977*, part 6.¹

Election of chancellor and deputy chancellor

12.(1) At its first meeting held after the expiration of the term of office of the appointed members of the preceding senate, the senate shall elect 2 of its members to be chancellor and deputy chancellor respectively, each of whom shall, subject to this Act, hold office during the term of office of the appointed members of that senate.

(1A) The office of chancellor or deputy chancellor shall become vacant immediately upon the holder thereof ceasing to be a member of the senate.

(2) If from any cause, other than expiration of the term of office, a vacancy occurs in the office of chancellor or deputy chancellor, the senate shall elect another of its members to be chancellor or deputy chancellor, as the case may be, and, subject to this Act, the member shall hold office for the remainder of the term of office of the member's predecessor.

(3) The deputy chancellor may act in the office of chancellor during such time as the chancellor is prevented by absence, illness or other cause whatever from performing the duties of the office or during such time as a vacancy exists in the office of chancellor and while so acting the deputy chancellor shall have and may exercise all the powers, functions, and authorities of, and shall perform all the duties of, the chancellor.

¹ Part 6 (Audit of public accounts and public sector entities)

Chair of senate

13.(1) The chancellor shall preside at all meetings of the senate at which the chancellor is present.

(2) At any meeting of the senate at which the chancellor is not present—

(a) the deputy chancellor; or

(b) (where the deputy chancellor is not present) a member of the senate elected by and from the members present;

shall preside.

Appointment of vice-chancellor and deputy vice-chancellors

14.(1) There shall be a vice-chancellor, who shall be the chief administrative officer of the university.

(1A) Subject to this section, the senate shall appoint the vice-chancellor on such terms and conditions as it may determine and the vice-chancellor shall hold the office subject to this Act and to the terms and conditions on which the vice-chancellor was appointed.

(2) Subject to this section, the senate may from time to time appoint 1 or more deputy vice-chancellors, each of whom shall perform such functions as the senate may from time to time determine.

(3) The Governor in Council may confirm or refuse to confirm an appointment made under this section or any term and condition in respect of such appointment.

(4) No appointment made under this section nor any term and condition in respect of any such appointment shall have any force and effect unless and until confirmed by the Governor in Council.

Division 3—Convocation**Constitution of convocation**

15.(1) There shall be a convocation of the university consisting of—

(a) all members and past members of the senate;

- (b) all persons who have been granted a degree, diploma or certificate, of any kind, of the University of Queensland or the former Queensland Agricultural College;
- (c) all full-time members of the academic staff of the university;
- (d) all students of the university enrolled for a master's or doctor's degree;
- (e) such persons or classes of persons as are admitted as members of convocation in accordance with the statutes;
- (f) all persons not qualified to be members of convocation under paragraphs (a) to (e) who, immediately before the commencement of this section, were members of convocation.

(2) A member of convocation who is—

- (a) undergoing imprisonment in any prison; or
- (b) a patient within the meaning of the *Mental Health Act 1974*;

shall not be capable of exercising the rights and privileges of a member of convocation, including the right to vote with respect to the appointment of members of the senate.

Functions of convocation

16.(1) The members of convocation shall be entitled to appoint, in the manner as provided by the statutes, such members of the senate as are prescribed by this Act.

(2) The members of convocation may at meetings held by them in accordance with the statutes (if any) consider any matters relating to the university and its affairs and administration and may make recommendations to the senate in respect of any such consideration.

Warden of convocation

17.(1) At its first meeting held in every year convocation shall elect one of its members to be its warden, who shall, subject to this Act, hold office until the first meeting of convocation held in the year next following.

(2) The office of warden shall become vacant if the warden—

- (a) dies; or
- (b) becomes incapable of exercising the rights and privileges of a member of convocation; or
- (c) resigns such office by signed notice delivered to the chancellor.

(3) If from any cause, other than expiration of the term of office a vacancy occurs in the office of warden, convocation shall elect another of its members to be its warden and, subject to this Act, the member shall hold office as such until the first meeting of the senate in the year next following.

Chair of convocation

18.(1) The warden shall preside at all meetings of convocation at which the warden is present.

(2) At any meeting of convocation at which the warden is not present a member of convocation elected by and from the members present shall preside.

Division 4—Matters relating to the senate and convocation generally

Re-election or reappointment

19. Nothing contained in this Act shall prevent any person from being immediately, or at any time, reappointed or re-elected to any office or place under this Act if the person is otherwise capable for the time being, of holding that office or place.

Validity of proceedings

20. No proceedings of the senate or convocation, or of any committee thereof, and no act done by the chancellor, deputy chancellor or warden or any person acting pursuant to and in accordance with the statutes as chancellor or warden shall be invalidated by reason of—

- (a) any defect in the appointment or election of, or of any disqualification of, any member of the senate or convocation or of any person aforesaid; or

- (b) any defect in the convening or conduct of any meeting of the senate or convocation or any committee thereof; or
- (c) there being any vacancy in the number of members of the senate or any committee thereof or of any committee of convocation; or
- (d) the fact that a person purporting to be a member of the senate or convocation or any committee thereof by virtue of an office held by the person did not hold that office; or
- (e) the fact that a person purporting to be a member of the senate or convocation or any committee thereof was not such a member.

PART 3—FACULTIES AND GRANTING OF DEGREES ETC.

Faculties

21.(1) Within the university there shall be maintained and instruction shall be given in the following faculties—

- (a) Faculty of Arts;
- (b) Faculty of Science;
- (c) Faculty of Engineering;
- (d) Faculty of Commerce and Economics;
- (e) Faculty of Agricultural Science;
- (f) Faculty of Law;
- (g) Faculty of Dentistry;
- (h) Faculty of Veterinary Science;
- (i) Faculty of Medicine;
- (j) Faculty of Education;
- (k) Faculty of Architecture and Planning;
- (l) Faculty of Music;

- (m) Faculty of Social Work;
- (n) Faculty of Applied Science;
- (o) Faculty of Business.²

(2) The senate may by statute from time to time modify subsection (1) by—

- (a) abolishing any of the faculties mentioned therein; or
- (b) abolishing any of the faculties mentioned therein and inserting a faculty in its place; or
- (c) adding a faculty to the list of faculties mentioned therein;

and the subsection as so modified shall become and be subsection (1) for the time being.

Schools etc. and academic departments

22.(1) The senate may from time to time establish such schools or other academic units (not being academic departments) within the university as it thinks fit.

(2) The senate may from time to time establish within the faculties of the university such academic departments as it thinks fit.

(3) The senate shall be deemed always to have had power to establish academic departments within the faculties of the university otherwise than by statute.

Instruction in and granting of degrees and other awards

23.(1) Subject to this Act and the statutes, the senate may cause instruction to be given to students, and may grant degrees, diplomas, and certificates in any branch of knowledge, and may also confer honorary degrees or other distinctions on approved persons.

(1A) All degrees and other distinctions shall be conferred and held subject to any provisions which may be made from time to time in

² This subsection is the subsection as modified by statutes made under subsection (2).

reference thereto by the statutes.

(2) Instruction may be given in the evening in such of the courses of study as in the opinion of the senate can properly be pursued by students unable to attend day time courses.

(3) Instruction may be given by means of correspondence tuition, local tutors, vacation schools or otherwise in such of the courses of study as in the opinion of the senate can properly be pursued by students unable to attend classes at the university.

(4) The senate may from time to time specify the classes of persons who may receive instruction pursuant to subsections (2) and (3) and may make such provision in relation thereto as it considers convenient or desirable.

Concession to persons training for teaching positions

24.(1) The senate shall allow the attendance without payment at the courses of instruction for degrees and diplomas by any person who is training for the position of a teacher and who—

- (a) is one of a class of such persons approved by the Governor in Council or is otherwise approved by the Governor in Council; and
- (b) has previously fulfilled the entrance requirements prescribed by the senate in relation to the course of instruction to be undertaken by the person.

(2) The Governor in Council may define a class of persons approved by the Governor in Council pursuant to this section in such manner as the Governor in Council thinks fit.

Public examinations

25. Subject to this Act and the statutes, the senate may cause public examinations to be held in respect of any branch or branches of knowledge, for the purpose of testing the proficiency of such candidates as may present themselves for examination, and may grant certificates of proficiency to candidates who successfully pass such examinations.

Senate to hold certain examinations

26. Where any public authority is empowered to require any person to submit to an examination as to the person's proficiency in any branch or branches of knowledge, or to produce evidence of such proficiency as a condition of obtaining any appointment, scholarship, or other reward of merit, or of being admitted to any profession, calling, or office, the Governor in Council may require the senate to undertake the examinations of persons desiring to submit themselves for examination in such branch or branches of knowledge, and the senate shall cause such examination to be held accordingly.

PART 4—ESTABLISHMENT OF COLLEGES**Establishment of university colleges**

27.(1) The Governor in Council on the recommendation of the senate, may from time to time by order in council establish colleges or other university institutions (a “college”).

(2) The Governor in Council may in the order in council establishing a college or by another order in council—

- (a) assign to that college such name or title as the Governor in Council thinks appropriate;
- (b) declare at what place that college shall be situated;
- (c) specify the terms and conditions to be observed by all persons in relation to that college which terms and conditions may include—
 - (i) the powers, authorities, duties and functions which the senate may exercise and perform in respect of the college; and
 - (ii) the general arrangements for the local management, supervision, and control of the college including if necessary the constitution of an advisory council in respect thereof and the membership of such council; and
 - (iii) the financial arrangements for or in respect of the establishment or maintenance of or both the establishment

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and maintenance of, the college; and

- (iv) generally such other matters or things that may be necessary or desirable in order to carry out the provisions of this section.

(2A) The power to make an order in council under this section shall include power to make (with respect to all or any of the matters specified in subsection (2)) such and so many orders in council, either at the same time or from time to time, as the Governor in Council shall deem necessary or expedient in the circumstances.

(3) A college shall be and shall function as part of the University of Queensland.

(4) Subsection (4A) shall be interpreted as being in aid of and not in derogation of subsection (3).

(4A) Subject as otherwise may be provided by order in council made under this section or by statute, the senate may exercise in relation to a college all the powers conferred on the senate by this Act or the statutes in relation to the university and shall have the entire management of and superintendence over the affairs and concerns of the college and of any property held by the university upon trust for the purpose of the college, and in all cases unprovided for by this Act the senate may in relation to the college and to any such property act in such manner as appears to it best calculated to promote the interests or purposes of the college.

(5) An advisory council constituted for a college may, subject to this Act—

- (a) exercise and perform such powers, authorities, duties, and functions as may be prescribed by statute; and
- (b) exercise and perform such of the powers, authorities, duties, and functions conferred or imposed on the senate by this section as are delegated from time to time to the advisory council by the senate (which is hereby empowered to so delegate).

(6) The university shall have power to acquire by gift, devise or bequest any property upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of a college.

(7) Any gift, devise, or bequest of any property made or purporting to be made to a college shall be deemed to be a gift, devise, or bequest, as the case

may be, to the university upon trust to apply the same to the purposes of the college in accordance with the terms of the gift, devise, or bequest; and where there has been a gift, devise, or bequest to trustees upon trust for a college, any act which might have been performed by the college if it had been an independent corporate body may be performed by the university, and any such act by the university shall have the same validity and effect in law as it would have had if the college had been an independent corporate body and had performed the act.

(8) If before the establishment of a college under this section any property has been vested in or acquired by any person upon trust for the purposes for which the college is established such person may after the college is established and notwithstanding anything contained in the terms of the trust convey or transfer the property to the university upon trust to apply the same or the proceeds thereof or the income therefrom for the benefit of the college, and the acceptance of the property by the university shall be a complete discharge to such person.

PART 5—PROPERTY AND FINANCE

University may accept gifts etc. subject to conditions, and establish trust funds

27A. In exercising its powers to acquire, hold, deal with or dispose of any real or personal property the university may agree to and carry out any conditions of any gift, grant, bequest, devise, purchase, lease or other means whereby it acquires or holds any property and the senate may—

- (a) create; or
- (b) administer; or
- (c) create and administer;

any trust fund or funds in connection therewith or for any other purpose whatsoever.

Powers of investment

27B.(1) The senate may establish 1 or more investment common funds for the collective investment of any trust and other moneys held by or in the custody of the university.

(2) The senate may from time to time without liability for breach of trust bring into or withdraw from any such investment common fund the whole or any part of any moneys of the university or of any trust moneys or any other moneys held by or in the custody of the university.

(3) Subject to subsections (4) and (5) the senate shall periodically distribute the income of each investment common fund among the funds participating in the common fund, having regard to the extent of the participation of each fund in the common fund during the relevant accounting period.

(4) In any case where the senate has brought into any investment common fund, moneys which, having been received by it to be expended for a stated purpose, cannot or will not be expended for that purpose forthwith, the senate may pay into the general funds of the university the whole or any part of that part of the income of such investment common fund which is attributable to the participation of those moneys in that fund and which is not required for that stated purpose.

(5) The senate may if it considers it expedient so to do from time to time add some portion of the income to the capital of the common fund or use some portion of the income to establish or augment a fund or funds as a provision against capital depreciation or reduction of income.

(6) Any moneys of the university (whether forming part of a common fund or not), including moneys held upon trust or subject to a condition, may be invested by the senate from time to time in any form of investment authorised by the statutes whether an authorised trustee investment or not.

(7) The powers conferred on the senate by this section or by any statute relating to investment of property shall not be exercised by the senate in relation to any trust fund or other moneys—

- (a) if the instrument creating the trust expressly directs to the contrary; or
- (b) if the exercise of power would constitute a breach of any

condition under which the fund or moneys in question was or were acquired.

Variation of terms of trusts and gifts

28.(1) Where any property is held by the university either at the date of the commencement of this Act or at any time thereafter on terms requiring such property or the income therefrom to be applied for a purpose or purposes and—

- (a) such purpose or all or any such purposes has or have been effected; or
- (b) such purpose or all or any of such purposes has or have ceased to exist; or
- (c) such purpose or all or any of such purposes has or have been adequately provided for by other means; or
- (d) such purpose is or all or any of such purposes are uncertain or cannot be identified or is or are not sufficiently defined; or
- (e) it becomes impossible or impracticable or inexpedient to carry out the purpose or all or any of such purposes; or
- (f) the property or income derived therefrom proves inadequate to carry out such purpose or all or any of such purposes;

then subject to the provisions of this section the senate may cause to be prepared a scheme by which that property or any part or residue thereof shall be held on terms requiring such property, part or residue or the income therefrom to be applied for the purpose or purposes designated in the scheme.

(2) A scheme prepared pursuant to subsection (1) shall be submitted by the senate to the Governor in Council.

(2A) Upon receipt of a scheme, the Governor in Council may—

- (a) approve the scheme; or
- (b) approve the scheme with such modifications as the Governor in Council thinks fit; or
- (c) refuse to approve the scheme.

(2B) A scheme approved by the Governor in Council (with or without modifications) is, in this section, in relation to the property or part or residue thereof concerned, called the “**approved scheme**” and shall be published in the gazette.

(3) Where in relation to any property or part or residue thereof held by the university there is in existence for the time being, an approved scheme, such property, part or residue thereof shall in accordance with the approved scheme be diverted from the purpose or purposes for which it was held and shall be held for the purpose or purposes as designated in the approved scheme.

(4) If the senate desires from time to time to amend an approved scheme it shall submit its amendment or amendments to the Governor in Council.

(4A) The Governor in Council may—

- (a) approve the amendment or amendments; or
- (b) approve the amendment or amendments with such modifications as the Governor in Council thinks fit; or
- (c) refuse to approve the amendments.

(4B) An amendment or amendments to an approved scheme approved by the Governor in Council shall be published in the gazette and thereupon the approved scheme in relation to which such amendment has or amendments have been approved shall be amended in accordance with such approval and as so amended shall be the approved scheme for the time being in relation to the property the subject of such approval.

(5) Where property the subject of an approved scheme consists (wholly or in part) of land, the university shall within 14 days after publication in the gazette of the approved scheme and within 14 days after the publication in the gazette of every amendment thereof, notify the authority charged in law with the registration of dealings relating to the said land of such approval or, as the case may be, amendment.

(6) In selecting a purpose for an approved scheme or for any amendment of an approved scheme the senate shall have a preference for a purpose which, in its opinion, is as nearly similar to the purpose or purposes for which the property concerned is, for the time being, held by the university as is consistent with useful and convenient achievement.

(6A) However, an approved scheme or an approved amendment to such

a scheme shall not be invalidated or otherwise prejudiced by reason of the fact that another purpose may have more properly been selected by the senate in accordance with subsection (6).

(7) Upon its publication in the gazette judicial notice shall be taken of an approved scheme and of any amendment thereof.

(9) The powers conferred by this section are in addition to any other powers or rights exercisable in law in respect of property held by the university upon trust.

Endowment

29. There shall be paid to the senate each year out of the consolidated fund such sums as are appropriated by Parliament for the purpose.

Application of revenue by university

30.(1) All fees and all other moneys received by the senate under this Act or otherwise shall subject to section 28 be applied by the senate solely for the purposes of the university.

(2) For the purposes of this section, the application from time to time of moneys by the senate for the purpose of—

- (a) enabling a member or former member of the university to pursue study or research at the university or elsewhere than at the university; or
- (b) the advancement of learning generally; or
- (c) assisting any institution declared by statute to be affiliated or associated with the university;

shall be deemed to be an application of those moneys for the purposes of the university.

Form of contracts and authentication of documents

30A.(1) Contracts on behalf of the university may be made as follows—

- (a) a contract which if made between private persons would be by law required to be in writing under seal may be made on behalf of

the university in writing under the common seal of the university;

- (b) a contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith may be made on behalf of the university in writing signed by any person acting under the express or an implied authority of the senate;
- (c) a contract which if made between private persons would by law be valid although made by parol only (and not reduced into writing) may be made by parol on behalf of the university by any person acting under the express or an implied authority of the senate.

(1A) Any contract so made shall be effectual in law and shall bind the university and all other parties thereto and may be varied or discharged in the manner in which it is authorised to be made.

(2) A document or proceeding requiring authentication by the university may be signed by an officer of the university authorised so to do by the senate and need not be under its common seal.

Financial accommodation

31.(1) For the purpose of providing financial accommodation for enabling the university to perform and exercise its functions and all powers that are incidental, necessary or conducive to the proper performance of its functions, the senate, in the name of and on behalf of the university, may and is hereby authorised, with the prior approval of the Governor in Council, to obtain from time to time advances—

- (a) by way of loan from the Treasurer; or
- (b) by way of loan or overdraft from any bank; or
- (c) by way of loan from any other person, upon, at and subject to such security, rate of interest and other terms and conditions as the senate, subject to the approval of the Governor in Council, thinks fit.

(2) Before entering into negotiations with respect to the obtaining of any advance by way of loan or overdraft from any bank or other person the senate shall obtain the sanction of the Treasurer authorising it to enter such

negotiations and for the purpose of obtaining that sanction the senate shall submit to the Treasurer such information as the Treasurer may require.

(3) The university is a statutory body within the meaning of the *Statutory Bodies Financial Arrangements Act 1982*.

Budget

31A. The senate shall—

- (a) in each year, adopt for the next following year commencing on 1 January a budget for all funds of the university other than those to which paragraph (b) relates, and shall approve all amendments to the budget and shall control the expenditure of the university so that it conforms as nearly as practicable to the approved budget;
- (b) review annually funds available to the university by way of bequest, donation or special grant and the expenditure thereof, and shall, subject to the terms of any trust and before any such expenditure is made, approve the proposed disposition of those funds.

Accounts and audit

31B.(1) The senate shall cause to be kept in relation to the funds and assets of the university such accounting and associated records as shall correctly record and explain all transactions.

(2) The senate shall, as soon as practicable after each 31 December, prepare and transmit to the Minister statements of accounts in respect of the year ended on that date in the form approved by the auditor-general.

(2A) Prior to such transmission the auditor-general shall certify whether or not the statements of accounts submitted exhibit a true and fair view of the financial transactions of the university for the period to which they relate.

(3) The auditor-general or an officer authorised by the auditor-general shall audit the accounts and records of financial transactions of the university and the cost of this audit shall be met by the university.

(4) The auditor-general shall at least once in each year report to the senate the results of the audit carried out under subsection (3) and, if the auditor-general deems necessary, shall make recommendations to the senate

in regard to the conduct of the financial transactions of the university and the manner of operating and maintaining the accounts.

(5) The senate shall give due consideration to the report and recommendations (if any) of the auditor-general made in accordance with subsection (4).

(6) The auditor-general or an officer authorised by the auditor-general shall have a right of access at all reasonable times to the accounting and associated records of the university and shall be entitled to require from an officer or employee of the university such information and explanation as the auditor-general considers necessary for the purpose of the audit, and the person shall comply with the requirement.

(7) The auditor-general shall transmit to the Minister through the Treasurer a copy of any report and recommendations made by the auditor-general under subsection (4) and shall include in the auditor-general's annual report to Parliament such matters relating to the financial transactions for the year as the auditor-general may consider necessary.

PART 5A—PROVISIONS RELATING TO COMPANIES, JOINT AGREEMENTS AND ARRANGEMENTS, AGREEMENTS FOR USE OF FACILITIES AND STAFF

Formation of and participation in companies etc.

31C.(1) The university, in the exercise of its powers under section 37C and without limiting the provisions of section 5(1)(ca) and part 7A, may be a member of, or form or participate in the formation of, or manage a company, whether incorporated, established or entered into within or outside the State, the objects or purposes of which include 1 or more of the following objects or purposes—

- (a) providing facilities or services 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 such research;
 - (d) preparing, publishing, distributing or licensing the use of literary or artistic work, audio or audiovisual material or computer software;
 - (e) exploiting commercially any facility or resource of the university including any study, research or knowledge, or the practical application thereof, developed by or belonging, whether alone or in conjunction with any other person or body, to the university;
 - (f) seeking or encouraging gifts to the university or for university purposes;
 - (g) any other object or purpose not inconsistent with this Act which the senate considers to be appropriate in the circumstances.

(2) The university, or any company of which the university is a member, or which is formed, participated in or managed by the university, may enter into any agreement or arrangement with any company the objects of which include 1 or more of the objects and purposes specified in subsection (1)(a) to (g), in respect of any of those lastmentioned objects and purposes.

Use of facilities and staff

31D. The university, in such circumstances and subject to such terms and conditions as the senate thinks fit, may contract or otherwise enter into an arrangement with any person or body for the use by the person or it of the university's facilities and staff.

Companies to furnish returns etc.

31E. Any company—

- (a) formed by the university pursuant to section 31C; or
- (b) managed by the university; or
- (c) of which the university becomes a member;

shall furnish the senate with such reports, returns and information relative to

the company's affairs as are from time to time required by the senate.

Audit requirements

31F. The *Financial Administration and Audit Act 1977*, section 46I applies, to the extent provided by that section, to any company of a kind referred to in section 31E.

PART 6—OFFENCES

Proceedings for offences

33. All offences against this Act may be prosecuted in a summary way under the *Justices Act 1886*.

PART 7—STATUTES AND REGULATIONS

Statutes

34.(1) The senate may from time to time make statutes not inconsistent with this Act for the carrying into effect of the several provisions, intentions, and objects of the Act, and generally for the control, management, good government, and discipline of the university, and may by statute repeal, rescind, revoke, alter, vary, amend, or otherwise modify any statute or any part of a statute.

(1AA) Without limiting the powers of the senate in that behalf, the senate may make statutes with respect to all or any of the following matters—

- (a) the use and custody of the common seal;
- (b) the manner and time of convening, holding, and adjourning the meetings of the senate and of convocation;
- (c) the quorum of and voting at such meetings;

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- (d) the powers and duties of the person acting as chairperson thereof;
- (e) the conduct and record of the business;
- (f) the appointment of committees of the senate and of convocation, and the quorum, powers and duties of such committees;
- (g) the admission of members to convocation;
- (h) the resignation of members of the senate, the chancellor, the deputy chancellor, and the warden of convocation;
- (i) the appointment of a person to act for the deputy chancellor or the warden during the illness or absence of such officer;
- (j) the number, appointment, termination of appointment, discipline (including the dismissal, suspension, and imposition of disciplinary punishments other than dismissal or suspension), and, the stipends or salaries or wages of professors, deans, readers, lecturers, examiners, and other officers and servants of the university but only to the extent that a statute so made with respect thereto is not inconsistent with the provisions of any award or industrial agreement which may from time to time be applicable;
- (k) the matriculation of students;
- (l) the promotion and extension of university teaching and research;
- (m) the granting of degrees, diplomas, certificates, and honours;
- (n) the conditions upon which degrees, diplomas, certificates, and honours may be granted to nonresident students;
- (o) the granting of fellowships, scholarships, exhibitions, bursaries, and prizes;
- (p) the admission of students of other universities to any corresponding status or of graduates of other universities to any corresponding degrees or diplomas without examination;
- (q) the fees to be paid for examinations, for the granting of degrees, diplomas, and certificates, for attendance at the lectures and classes of the university, and for the use of university facilities;
- (r) the imposition and collection in respect of each year of a higher education administration charge in accordance with the *States*

Grants (Tertiary Education Assistance) Act 1984 (Cwlth), or any Act passed in substitution for that Act;

- (s) the collection in respect of any fee, charge or other imposition arising from any higher education contribution scheme as provided for under any Act passed by the Commonwealth in respect thereof;
- (t) the establishment, management, and control of libraries and museums in connection with the university;
- (u) the licensing and supervision of boarding houses intended for the reception of students, and the suspension or revocation of such licences;
- (v) the affiliation, association, or connection with the university of any educational establishment wheresoever situated, to which the governing body of such educational establishment may consent;
- (w) the ownership and exploitation of inventions and discoveries, that are the property of the university, made by the staff or enrolled students of the university;
- (x) the control and investment of the property of the university including any property held on trust or subject to a condition;
- (y) the protection of the property of or under the control of the university from trespass or damage or misuse;
- (z) the regulation and control of access to and the use of land and buildings the property of or under the control of the university and of the conduct of persons and the presence and use of vehicles thereon;
- (za) the method of appointment of members of the senate by the persons or bodies authorised to appoint members pursuant to section 6(1)(b)(iii) to (iv) and (vi), and matters related or incidental thereto.

(1AB) The power to make statutes shall be deemed always to have included power to make them with respect to the matters specified in subsection (1AA)(z) as amended by the *Universities Acts Amendment Act 1983* and in subsection (1A).

(1A) Without limiting the generality of the powers conferred by

subsections (1) to (1AB) a statute made pursuant to those subsections—

- (a) may provide, in the case of an offence that consists of—
 - (i) bringing a vehicle onto or parking or standing a vehicle on a site in breach of a statute;
 - (ii) driving a vehicle on any part of a site in breach of a statute;
 - (iii) driving a vehicle on any part of a site at a speed in excess of a speed that, in relation to that part, is prescribed by statute, determined by a method prescribed by statute or fixed by a person authorised by statute so to do in respect of the site or that part;
 - (iv) driving a vehicle on any part of a site contrary to any direction, whether given by a person authorised by statute so to do or by a traffic control device on the site;
 - (v) doing on a site with or in respect of a vehicle such other act as may be prescribed by order in council for the purposes of this section;

that the owner of the vehicle (whether or not the owner was in charge of the vehicle at the material time) shall be liable to be punished for the offence as well as the person who was in charge of the vehicle at the material time;

- (b) may define who is the owner of a vehicle for the purposes of the statutes;
- (c) may provide for the removal or disposal of any vehicle—
 - (i) parked or left standing on a site in such a position as to obstruct, interfere with or cause danger to other vehicles on the site or to users of the site; or
 - (ii) apparently abandoned on a site;
- (d) may prescribe the proof that is necessary or sufficient to establish any matter relevant to an offence created by statute.

(1B) A statute that provides as is referred to subsection (1)(a) shall not be so construed that the owner of a vehicle and the person in charge of it at the time an offence was committed with or in respect of the vehicle shall both be punished for the one offence.

(1C) In subsection (1A)—

“**site**” means any land or premises the property of or under the control of the university.

(2) The senate may make rules (not being inconsistent with this Act or the statutes) for the carrying into effect of all or any of the provisions and objects of this Act or of the statutes.

(3) All rules made pursuant to this section by the senate shall be of full force and effect as from the day on which they are promulgated in accordance with procedures specified in the statutes or from such later date as may be specified in the rules, and the production of a verified copy of any such rule under the common seal of the university is sufficient evidence of the making and authenticity of the same in all courts and before all persons acting judicially.

(4) A statute may impose or authorise the senate or any officer of the university to impose a penalty not exceeding 5 penalty units for breach of any provision and provide for the recovery and enforcement of any such penalty.

(5) Where no other provision is made for the recovery or enforcement of a penalty imposed by or under the authority of a statute, such penalty may be recovered or enforced by complaint in a summary way under the *Justices Act 1886*.

Statutes to be approved by Governor in Council

35.(1) Every statute made by the senate shall be sealed with the common seal of the university, and shall be transmitted to the Minister for Education to be dealt with in accordance with this section.

(2) The Minister of Education shall submit every statute to the Governor in Council.

(3) The Governor in Council may in the Governor in Council’s discretion approve any statute.

(4) A statute shall have no force and effect unless and until approved by the Governor in Council.

Regulations

36.(1) The Governor in Council may from time to time make regulations, not inconsistent with this Act, providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act.

(2) The statutes made pursuant to this Act shall be read subject to the regulations made under this Act to the extent that where there is an inconsistency between a statute and a regulation the latter shall prevail.

**PART 7A—CERTAIN COMPANIES OF THE
UNIVERSITY****Meaning of companies**

36A. In this part—

“**companies**” means University of Queensland Foundation Ltd. and Uniquet Limited.

Use of facilities and staff

36B. With the consent of the senate first obtained and subject to such terms and conditions (if any) as are imposed by the senate either generally or in the particular case it is competent to the university to contract or otherwise arrange with each of the companies for the use by it of the facilities and staff of the university and to perform its obligations and exercise and enforce its rights under the contract or arrangement.

Companies to furnish returns etc.

36C. Each of the companies shall furnish the senate with such reports, returns and information relative to the company’s affairs as are from time to time required by the senate.

Auditor

36D.(1) The auditor-general shall audit the books and accounts of each of the companies and shall, for the purposes of the Companies (Queensland) Code, be taken to have been appointed auditor pursuant to that Code.

(2) The auditor-general shall furnish a copy of each report made by the auditor-general under the Companies (Queensland) Code, section 285 that relates to either of the companies to the Minister of the Crown for the time being charged with the administration of the *University of Queensland Act 1965* and to the senate.

(3) Notwithstanding the Companies (Queensland) Code it is not competent to either of the companies to remove the auditor-general from office as auditor of the company.

PART 8—MISCELLANEOUS**Senate to report annually to Governor in Council**

37.(1) The senate shall in every year transmit to the Governor in Council a report of the proceedings of the university during the previous year, and such report shall contain a true and detailed account of the income and expenditure of the university during such period, audited in the manner hereinbefore in this Act provided.

(2) A copy of every such report shall be laid before the Legislative Assembly.

No discrimination

37A. The university shall not discriminate against any person on the grounds of that person's sex, religion or colour.

Senate discretion in respect of overtime

37B. Notwithstanding the provisions of the *Industrial Conciliation and Arbitration Act 1961*, section 14(1)(c), the working of overtime by any

person employed by the university at a salary in excess of an amount which the Governor in Council, who is hereby thereunto authorised, determines from time to time for the purpose, and remuneration in respect of such overtime, shall be in the discretion of the senate.

University may exploit facilities or resources

37C. It is competent to the university to exploit commercially, for the benefit of the university, any facility or resource of the university including any study, research or knowledge, or the practical application thereof, developed by or belonging, whether alone or in conjunction with any other person or body, to the university.

Publication of orders in council, regulations and statutes

38.(1) Every order in council and regulation made under this Act and every statute approved by the Governor in Council under this Act shall—

- (a) be published in the gazette; and
- (b) upon its publication in the gazette, be judicially noticed and such publication shall be conclusive evidence of the matters contained therein; and
- (c) take effect from the date of such publication unless, in the case of any such regulation or statute, a later date is specified in that or any other such regulation or statute for its commencement when in such event it shall take effect from that later date; and
- (d) be laid before the Legislative Assembly within 14 sitting days after such publication, if the Legislative Assembly is in session, and if not, then within 14 sitting days after the commencement of the next session.

(2) If the Legislative Assembly passes a resolution of which notice has been given at any time within 14 sitting days after any such order in council, regulation or statute has been laid before it disallowing the same or part thereof, that order in council, regulation, statute or part shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime or to the making of a further order in council, regulation or statute.

Queensland Agricultural College references

38A. In an Act or document, a reference to the Queensland Agricultural College may, if the context permits, be taken to be a reference to the university, and a reference to the council of the college may, if the context permits, be taken to be a reference to the senate of the university.

SCHEDULE

section 3(1)

| Number of Act | Title of Act | Extent of repeal |
|----------------------|--|-------------------------|
| 9 Edw 7 No. 7 | <i>University of Queensland Act 1909</i> | the whole Act |
| 13 Geo 5 No. 18 | <i>University of Queensland Act Amendment Act 1922</i> | the whole Act |
| 22 Geo 5 No. 1 | <i>Financial Emergency Act 1931</i> | section 24(i) |
| 5 Geo 6 No. 6 | <i>National Education Co-ordination and the University of Queensland Acts Amendment Act 1941</i> | the whole Act |
| 6 Eliz 2 No. 8 | <i>University of Queensland Acts Amendment Act 1957</i> | the whole Act |
| 6 Eliz 2 No. 30 | <i>University of Queensland Acts Amendment Act 1957 (No. 2)</i> | the whole Act |
| 9 Eliz 2 No. 11 | <i>University of Queensland Acts Amendment Act 1960</i> | the whole Act |

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 19 January 1996. Future amendments of the University of Queensland Act 1965 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

| | | | | | |
|--------|---|------------------------------|--------|---|--------------------------------|
| AIA | = | Acts Interpretation Act 1954 | prev | = | previous |
| amd | = | amended | (prev) | = | previously |
| ch | = | chapter | proc | = | proclamation |
| def | = | definition | prov | = | provision |
| div | = | division | pt | = | part |
| exp | = | expires/expired | pubd | = | published |
| gaz | = | gazette | R[X] | = | Reprint No.[X] |
| hdg | = | heading | RA | = | Reprints Act 1992 |
| ins | = | inserted | reloc | = | relocated |
| lap | = | lapsed | renum | = | renumbered |
| mod | = | modified | rep | = | repealed |
| mod | = | modified | notfd | = | notifieds=section |
| om | = | omitted | sch | = | schedule |
| o in c | = | order in council | sdiv | = | subdivision |
| p | = | page | SIA | = | Statutory Instruments Act 1992 |
| para | = | paragraph | SL | = | subordinate legislation |
| prec | = | preceding | sub | = | substituted |
| pres | = | present | unnum | = | unnumbered |

4 List of legislation

University of Queensland Act 1965 No. 52

date of assent 7 December 1965

commenced 9 December 1965 (proc pubd gaz 11 December 1965 p 1404)

as amended by—

order in council published gazette—

15 February 1969 p 536

commenced on date of publication

University of Queensland Act Amendment Act 1973 No. 74

date of assent 19 December 1973

commenced on date of assent

University of Queensland Act Amendment Act 1981 No. 30

date of assent 20 May 1981

commenced 1 September 1981 (proc pubd gaz 22 August 1981 p 2641)

Statutory Bodies Financial Arrangements Act 1982 No. 33 s 14(2), (4) sch 3

date of assent 1 September 1982

commenced on date of assent

Universities Acts Amendment Act 1983 No. 20 pt 2

date of assent 19 April 1983

commenced on date of assent

**Educational Institutions (Amendment of Superannuation Provisions) Act 1984
No. 82 pt 4**

date of assent 26 October 1984
commenced on date of assent

**Universities and Colleges (Higher Education Administration Charges) Act 1987
No. 2 pt 2**

date of assent 19 March 1987
ss 1–2 commenced on date of assent (see s 2(1))
remaining provisions commenced 4 April 1987 (proc pubd gaz 4 April 1987
p 1649)

Education Act and Another Act Amendment Act 1987 No. 70 pt 3

date of assent 1 December 1987
ss 1–2 commenced on date of assent (see s 2(1))
remaining provisions never proclaimed into force and repealed by 1989 No. 30
pt 11

Education (General Provisions) Act 1989 No. 30 pt 10

date of assent 28 April 1989
ss 1–2 commenced on date of assent (see s 2(1))
remaining provisions commenced 5 August 1989 (proc pubd gaz 5 August 1989
p 3002)

Universities and Colleges of Advanced Education Act 1989 No. 62 pt 3

date of assent 12 May 1989
ss 1–2 commenced on date of assent (see s 2(1))
remaining provisions commenced 5 August 1989 (proc pubd gaz 5 August 1989
p 3002)

University of Queensland Act Amendment Act 1989 No. 102

date of assent 25 October 1989
commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1989 No. 103 s 3 sch

date of assent 25 October 1989
commenced on date of assent (see s 2(1))

**Griffith University and Queensland Conservatorium of Music Amalgamation
and Miscellaneous Amendments Act 1991 No. 23 pt 4**

date of assent 5 June 1991
ss 1–2 commenced on date of assent
remaining provisions commenced 23 October 1992 (1992 SL No. 323)

**Statutory Authorities Superannuation Legislation Amendment Act 1995 No. 36
ss 1–2, 9 sch 2**

date of assent 16 June 1995
commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995
commenced on date of assent

as modified by—

statutes published gazette—

19 August 1967 p 1617
commenced on date of publication

12 January 1974 p 134
commenced on date of publication

29 March 1975 p 1364
commenced on date of publication

5 March 1983 pp 885–6
commenced on date of publication

27 January 1990 p 468
commenced on date of publication

List of legislation to University of Queensland (Confirmation of Powers) Act 1985 No. 28—before ss 2 and 5 to 7 relocated to University of Queensland Act 1965 (see 1995 No. 58 s 4 sch 1)

University of Queensland (Confirmation of Powers) Act 1985 No. 28

date of assent 15 April 1985
commenced on date of assent

as amended by—

Statute Law Revision Act (No. 2) 1995 No. 28 ss 1–2, 4 sch 1

date of assent 28 November 1995
commenced on date of assent

5 List of annotations

Short title

s 1 amd R1 (see RA s 37)

Division of Act

s 2 amd 1973 No. 74 s 2; 1989 No. 102 s 3
om R1 (see RA s 36)

Interpretation

s 4 def “**company**” ins 1989 No. 102 s 4
def “**Minister**” om R1 (see RA s 39)
def “**rules**” amd 1973 No. 74 s 3
def “**vehicle**” ins 1983 No. 20 s 4

Constitution of university

s 5 amd 1973 No. 74 s 4; 1989 No. 102 s 5

Constitution of senate

s 6 sub 1973 No. 74 s 5
amd 1981 No. 30 s 3

Continuation of Senate

s 7 sub 1973 No. 74 s 6
om R1 (see RA s 38)

Appointment and term of office of members of the senate

s 8 amd 1973 No. 74 s 7; 1981 No. 30 s 4; R1 (see RA s 38)

Disqualifications from office

s 9 amd 1973 No. 74 s 8

Casual appointments to senate

s 10 amd 1973 No. 74 s 9; 1981 No. 30 s 5

Delegation by senate

s 11A ins 1973 No. 74 s 10

Superannuation schemes

s 11B ins 1984 No. 82 s 8
sub 1995 No. 36 s 9 sch 2

Election of chancellor and deputy chancellor

s 12 amd 1973 No. 74 s 11

Constitution of convocation

s 15 amd 1973 No. 74 s 12; 1991 No. 23 s 24

Faculties

s 21 mod statute pubd gaz 19 August 1967 p 1617; statute pubd gaz 12 January 1974 p 134; statute pubd gaz 29 March 1975 p 1364; statute pubd gaz 5 March 1983 pp 885–6; statute pubd gaz 27 January 1990 p 468

Schools etc. and academic departments

s 22 sub 1983 No. 20 s 5
amd 1989 No. 102 s 6

Instruction in and granting of degrees and other awards

s 23 amd 1973 No. 74 s 13; 1989 No. 102 s 7

University may accept gifts etc. subject to conditions, and establish trust funds

s 27A ins 1973 No. 74 s 14
amd 1989 No. 102 s 8

Powers of investment

s 27B ins 1973 No. 74 s 14

Variation of terms of trusts and gifts

s 28 amd o in c pubd gaz 15 February 1969 p 536; 1973 No. 74 s 15

Form of contracts and authentication of documents

s 30A ins 1973 No. 74 s 16

Financial accommodation

prov hdg amd 1973 No. 74 s 17(a)

s 31 amd 1973 No. 74 s 17(b); 1981 No. 30 s 6; 1982 No. 33 s 14(2) sch 3;
1983 No. 20 s 6

Budget

s 31A ins 1973 No. 74 s 18

Accounts and audit

31B ins 1973 No. 74 s 18

**PART 5A—PROVISIONS RELATING TO COMPANIES, JOINT
AGREEMENTS AND ARRANGEMENTS, AGREEMENTS FOR USE OF
FACILITIES AND STAFF**

pt hdg ins 1989 No. 102 s 9

Formation of and participation in companies etc.

s 31C ins 1989 No. 102 s 9

Use of facilities and staff

s 31D ins 1989 No. 102 s 9

Companies to furnish returns etc.

s 31E ins 1989 No. 102 s 9

Audit requirements

s 31F ins 1989 No. 102 s 9

Restriction on conferring and using certain awards

s 32 amd 1973 No. 74 s 19
om 1987 No. 70 s 63 (never proclaimed into force and repealed by 1989
No. 30 s 98); 1989 No. 30 s 98

Statutes

s 34 amd 1973 No. 74 s 20; 1981 No. 30 s 7; 1983 No. 20 s 7; 1987 No. 2 s 5;
1989 No. 62 s 12; 1989 No. 102 s 10; 1989 No. 103 s 3 sch; 1991 No. 23
s 25

PART 7A—CERTAIN COMPANIES OF THE UNIVERSITY

pt hdg ins 1995 No. 58 s 4 sch 1

Meaning of companies

s 36A (prev 1985 No. 28 s 2)
amd 1995 No. 58 s 4 sch 1
reloc 1995 No. 58 s 4 sch 1

Use of facilities and staff

s 36B (prev 1985 No. 28 s 5)
reloc 1995 No. 58 s 4 sch 1

Companies to furnish returns etc.

s 36C (prev 1985 No. 28 s 6)
reloc 1995 No. 58 s 4 sch 1

Auditor

s 36D (prev 1985 No. 28 s 7)
reloc 1995 No. 58 s 4 sch 1

Senate to report annually to Governor in Council

s 37 amd 1973 No. 74 s 21

No discrimination

s 37A ins 1973 No. 74 s 22

Senate discretion in respect of overtime

s 37B ins 1973 No. 74 s 23

University may exploit facilities or resources

s 37C ins 1989 No. 102 s 11

Queensland Agricultural College references

s 38A ins 1995 No. 58 s 4 sch 1

6 Table of changed names and titlesTABLE OF CHANGED NAMES AND TITLES
under the Reprints Act 1992 ss 23 and 23A

| Old | New | Reference provision |
|----------------------|-------------------|--|
| consolidated revenue | consolidated fund | Financial Administration and Audit Act 1977 s 112 |

7 Table of changed citations and remade lawsTABLE OF CHANGED CITATIONS AND REMADE LAWS
under the Reprints Act 1992 ss 21A and 22

| Old | New | Reference provision |
|---|---|--|
| Mental Health Act 1962 | Mental Health Act 1974 | Mental Health Act 1974 s 77 |
| University of Queensland (Confirmation of Powers) Act 1985 | University of Queensland Act 1965 | see Statute Law Revision Act (No. 2) 1995 |

8 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS under the Reprints Act 1992 s 39

| | |
|---|--|
| Omitted provision | Provision making omitted provision obsolete/redundant |
| definitions to be read in context | Acts Interpretation Act 1954 s 32A |
| def “Minister” | Acts Interpretation Act 1954 s 36, def “Minister” and ss 33(1) to (4) and 24B(8)(b) (see also Reprints Act 1992 s 39, example 2) |
| references included in citation of law | Acts Interpretation Act 1954 s 14H |
| references to a State | Acts Interpretation Act 1954 s 36, def “State” |
| references to provisions of law inclusive | Acts Interpretation Act 1954 s 35D |
| references to Queensland implied | Acts Interpretation Act 1954 s 35 |

9 Table of corrected minor errors

TABLE OF CORRECTED MINOR ERRORS under the Reprints Act 1992 s 44

| Provision | Description |
|------------|------------------------------|
| 34(1AA)(u) | om ‘licenses’ ins ‘licences’ |

10 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS under the Reprints Act 1992 s 43

| Previous | Renumbered as |
|------------------------------|---------------|
| 3(1), 2nd sentence | 3(1A) |
| 3(2), 2nd sentence | 3(2A) |
| 3(2), 3rd sentence | 3(2B) |

| | | |
|----|----------------------------|------------|
| 00 | 6(2), proviso | 6(2A) |
| | 6(3)(a) | 6(3) |
| | 6(3)(b) | 6(3A) |
| | 6(3)(b), proviso | 6(3B) |
| | 8, 1st sentence | 8(1) |
| | 8, 2nd sentence | 8(2) |
| | 10(1), 2nd sentence | 10(1AA) |
| | 11, 1st sentence | 11(1) |
| | 11, 2nd sentence | 11(2) |
| | 12(1), 2nd sentence | 12(1A) |
| | 14(1), 2nd sentence | 14(1A) |
| | 14(3), 2nd sentence | 14(4) |
| | 23(1), 2nd sentence | 23(1A) |
| | 24, 1st sentence | 24(1) |
| | 24, 2nd sentence | 24(2) |
| | 27(2), 2nd sentence | 27(2A) |
| | 27(4), 2nd sentence | 27(4A) |
| | 27(6), 2nd sentence | 27(7) |
| | 27(6), 3rd sentence | 27(8) |
| | 28(2), 2nd sentence | 28(2A) |
| | 28(2), 3rd sentence | 28(2B) |
| | 28(4), 2nd sentence | 28(4A) |
| | 28(4), 3rd sentence | 28(4B) |
| | 28(6), proviso | 28(6A) |
| | 30, 1st sentence | 30(1) |
| | 30, 2nd sentence | 30(2) |
| | 30A(1), 2nd sentence | 30A(1A) |
| | 31B(2), 2nd sentence | 31B(2A) |
| | 34(1), 2nd sentence | 34(1AA) |
| | 34(1)(i) | 34(1AA)(a) |
| | 34(1)(iii) | 34(1AA)(b) |
| | 34(1)(iii), 1st unnum para | 34(1AA)(c) |
| | 34(1)(iii), 2nd unnum para | 34(1AA)(d) |
| | 34(1)(iii), 3rd unnum para | 34(1AA)(e) |
| | 34(1)(iii), 4th unnum para | 34(1AA)(f) |
| | 34(1)(iiia) | 34(1AA)(g) |
| | 34(1)(iv) | 34(1AA)(h) |
| | 34(1)(v) | 34(1AA)(i) |
| | 34(1)(vi) | 34(1AA)(j) |
| | 34(1)(vii) | 34(1AA)(k) |
| | 34(1)(viii) | 34(1AA)(l) |
| | 34(1)(ix) | 34(1AA)(m) |
| | 34(1)(x) | 34(1AA)(n) |
| | 34(1)(xi) | 34(1AA)(o) |
| | 34(1)(xii) | 34(1AA)(p) |
| | 34(1)(xiii) | 34(1AA)(q) |

| | |
|----------------------------|-------------|
| 34(1)(xiiia) | 34(1AA)(r) |
| 34(1)(xiiib) | 34(1AA)(s) |
| 34(1)(xiv) | 34(1AA)(t) |
| 34(1)(xv) | 34(1AA)(u) |
| 34(1)(xvi) | 34(1AA)(v) |
| 34(1)(xvia) | 34(1AA)(w) |
| 34(1)(xvii) | 34(1AA)(x) |
| 34(1)(xviii) | 34(1AA)(y) |
| 34(1)(xix) | 34(1AA)(z) |
| 34(1)(xx) | 34(1AA)(za) |
| 34(1), 3rd sentence | 34(1AB) |
| 34(1A), 2nd sentence | 34(1B) |
| 34(1A), 3rd sentence | 34(1C) |
| 37, 1st sentence | 37(1) |
| 37, 2nd sentence | 37(2) |