

Queensland



ANNO TRICESIMO TERTIO

ELIZABETHAE SECUNDAE REGINAE

No. 82 of 1984

An Act to amend the Grammar Schools Act 1975, The Rural Training Schools Act of 1965, the University of Queensland Act 1965–1983, the Griffith University Act 1971–1983 and the James Cook University of North Queensland Act 1970–1983 each in certain particulars

[ASSENTED TO 26TH OCTOBER, 1984]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. **Short title.** This Act may be cited as the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*.

2. **Arrangement of Act.** This Act is divided into parts as follows:—

PART I—PRELIMINARY (ss. 1–2);

PART II—AMENDMENT OF GRAMMAR SCHOOLS ACT 1975 (ss. 3–4);

PART III—AMENDMENT OF THE RURAL TRAINING SCHOOLS ACT OF 1965 (ss. 5–6);

PART IV—AMENDMENT OF UNIVERSITY OF QUEENSLAND ACT 1965–1983 (ss. 7–8);

PART V—AMENDMENT OF GRIFFITH UNIVERSITY ACT 1971–1983 (ss. 9–10);

PART VI—AMENDMENT OF JAMES COOK UNIVERSITY OF NORTH QUEENSLAND ACT 1970–1983 (ss. 11–12).

PART II—AMENDMENT OF GRAMMAR SCHOOLS ACT 1975

3. **Citation.** (1) In this Part the *Grammar Schools Act 1975* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Grammar Schools Act 1975–1984*.

4. **Repeal of and new s. 19. Superannuation scheme.** The Principal Act is amended by repealing section 19 and substituting the following section:—

“19. **Superannuation scheme or arrangement etc.** (1) On and after the passing of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*, it shall not be competent to a board—

- (a) to establish or to commence to participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits for employees of the board;
- (b) to amend a scheme or arrangement such as is referred to in subparagraph (a) established by the board; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in subparagraph (a) that is amended subsequently to the passing of that Act and subsequently to the board's commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(2) The Governor in Council may grant the approval referred to in subsection (1) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by a board on or after the date of commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the board in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977-1981*.

(3) A reference to a scheme or arrangement in subsection (1) (b) or (1) (c) includes a reference to any such scheme or arrangement which a board has established before or in which a board was participating immediately before the commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*.”.

PART III—AMENDMENT OF THE RURAL TRAINING SCHOOLS ACT OF 1965

5. Citation. (1) In this Part *The Rural Training Schools Act of 1965* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Rural Training Schools Act 1965-1984*

6. New s. 13A. The Principal Act is amended by inserting after section 13 the following section:—

“**13A. Superannuation scheme or arrangement.** (1) A Board is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits, for such employees of the Board as are not required by any other Act to contribute to a scheme or arrangement of that kind under that Act.

(2) On or after the passing of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* it shall not be competent to a Board—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1);
- (b) to amend a scheme or arrangement such as is referred to in and authorized by subsection (1) established by the Board; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in and authorized by subsection (1)

that is amended subsequently to the passing of that Act and subsequently to the Board's commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by a Board on or after the date of commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the Board in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977-1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which a Board has established before or in which a Board was participating immediately before the commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*."

PART IV—AMENDMENT OF UNIVERSITY OF QUEENSLAND ACT 1965-1983

7. Citation. (1) In this Part the *University of Queensland Act 1965-1983* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *University of Queensland Act 1965-1984*.

8. New s. 11B. The Principal Act is amended by inserting after section 11A the following section:—

"11B. Superannuation scheme or arrangement. (1) The Senate is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits for employees of the University.

(2) On and after the passing of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*, it shall not be competent to the Senate—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in subsection (1);
- (b) to amend a scheme or arrangement such as is referred to in subsection (1) established by the Senate; or

- (c) to continue to participate in a scheme or arrangement such as is referred to in subsection (1) that is amended subsequently to the passing of that Act and subsequently to the Senate's commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by the Senate on or after the date of commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the University in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977-1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which the Senate has established before or in which the Senate was participating immediately before the commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*."

PART V—AMENDMENT OF GRIFFITH UNIVERSITY ACT 1971-1983

9. Citation. (1) In this Part the *Griffith University Act 1971-1983* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Griffith University Act 1971-1984*.

10. New s. 17A. The Principal Act is amended by inserting after section 17 the following section:—

"17A. Superannuation scheme or arrangement. (1) The Council is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits for employees of the University.

(2) On and after the passing of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* it shall not be competent to the Council—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in subsection (1);

- (b) to amend a scheme or arrangement such as is referred to in subsection (1) established by the Council; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in subsection (1) that is amended subsequently to the passing of that Act and subsequently to the Council's commencing to participate therein,

unless the approval of the Governor in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by the Council on or after the date of commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the University in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him the *Financial Administration and Audit Act 1977-1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which the Council has established before or in which the Council was participating immediately before the commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*."

PART VI—AMENDMENT OF JAMES COOK UNIVERSITY OF NORTH QUEENSLAND ACT 1970-1983

11. Citation. (1) In this Part the *James Cook University of North Queensland Act 1970-1983* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *James Cook University of North Queensland Act 1970-1984*.

12. New s. 16A. The Principal Act is amended by inserting after section 16 the following section:—

"16A. Superannuation scheme or arrangement. (1) The Council is authorized and is deemed always to have been authorized to establish or participate in a provident scheme or arrangement or a scheme or arrangement that secures superannuation benefits for employees of the University.

(2) On or after the passing of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*, it shall not be competent to the Council—

- (a) to establish or to commence to participate in a scheme or arrangement such as is referred to in subsection (1);
- (b) to amend a scheme or arrangement such as is referred to in subsection (1) established by the Council; or
- (c) to continue to participate in a scheme or arrangement such as is referred to in subsection (1) that is amended subsequently to the passing of that Act and subsequently to the Council's commencing to participate therein,

unless the approval of the Governor, in Council has first been obtained to the establishment, participation, amendment or, as the case may be, continued participation.

(3) The Governor in Council may grant the approval referred to in subsection (2) subject to such conditions as he sees fit including a condition that the terms and conditions of a scheme or arrangement established or participated in by the Council on or after the date of commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984* shall include a provision authorizing the Auditor-General or a person authorized by him for that purpose to audit the accounts and records of the financial transactions of the University in respect of that scheme or arrangement.

When the Auditor-General is so authorized he shall have with respect to such audit all the powers and authorities conferred on him by the *Financial Administration and Audit Act 1977–1981*.

(4) A reference to a scheme or arrangement in subsection (2) (b) or (2) (c) includes a reference to any such scheme or arrangement which the Council has established before or in which the Council was participating immediately before the commencement of the *Educational Institutions (Amendment of Superannuation Provisions) Act 1984*.”.