

UNIVERSITY OF TASMANIA AMENDMENT BILL

CLAUSE NOTES

- Clause 1 *University of Tasmania Amendment Act 1992*
- Clause 2 The Act commences on 1 January 2013
- Clause 3 The Principal Act is the *University of Tasmania Act 1992*
- Clause 4 Section 3 of the Principal Act is amended to allow for the change of title of general staff in Australian universities, as used in the current Act. These staff are now called 'professional staff'.
- Clause 5 Section 4 of the Principal Act is amended to include subsection 5 removing any doubt that the University has continuity of existence since its establishment in 1890.
- Clause 6 Section 5 of the Principal Act is amended to replace the term 'general staff' with 'professional staff'.
- Clause 7 Section 8 amends the Principal Act by changing the size and composition of the University Council by:
- (a) Specifying the minimum Council size of 10 members and its maximum size of 14 members.
 - (b) Reducing the number of persons appointed by the Minister from 4 members in the current Act to 2 members.
 - (c) Reducing the number of academic staff elected by the academic staff from 3 members to 1 member.
 - (d) Reducing the number of students appointed by the Council from 2 members to 1 member.
 - (e) Changing the number of persons appointed by the Council from 4 members to the new limitation of 'up to 6 members'.
 - (f) Replacing the term 'general staff' with 'professional staff' for this member.
- Clause 8 Inserts the new Section 17A which provides for the Council to dismiss the Chancellor or a Deputy-Chancellor if a two-thirds majority of Council considers the Chancellor or Deputy-Chancellor to have breached their terms of appointment under the Act.

Because of the reduced size of the Council being as few as 10 members, the vote for dismissal does not allow the vote to be counted of the Chancellor or Deputy-Chancellor subject to the dismissal motion.

COUNCIL SIZE	2/3 MAJORITY	2/3 MAJORITY WITHOUT CHANCELLOR (DEP. CHANCELLOR) VOTE
10	7	6
11	8	7
12	8	8
13	9	8
14	9	9

Clause 9 Section 22A of the Principal Act is amended to replace the term 'general staff' with 'professional staff'.

Clause 10 Section 23 of the Principal Act is amended to replace the term 'general staff' with 'professional staff'.

Clause 11 Schedule 1 to the Principal Act is amended to:

- (a) Reduce terms of office from (up to) 4 years to 3 years.
- (b) Provide the determination that the two-thirds majority of the vote for dismissal of a Council member does not allow the vote to be counted of the member subject to the dismissal motion.
- (c) Replace in clause 3(b) the term 'general staff' with 'professional staff'.
- (d) Correct an existing error in clause 3(c); the reference is to a student being appointed rather than elected as a member of Council.

Clause 12 The amendments to Schedule 4, provide that the new members appointed under the Principal Act as amended by this Bill, in respect of the Council constituted on 1 January 2013, will be appointed for terms of 3 years.

The insertion of clause 6A allows for a member serving an existing term with an expiry date later than 31 December 2012 will be able to continue serving until the term of office expires.

Clause 13 Provides for the repeal of the amending Act 90 days after commencement.