

THIS PUBLIC BILL has this day been read a Third time and passed

*The Clerk of the Parliament.*

*Legislative Assembly Chamber,  
Brisbane, November 2021*



Queensland

**No.  
A BILL for**

**An Act to amend the Queensland University of Technology Act 1998 for particular purposes**





Queensland

# Queensland University of Technology Amendment Bill 2021

## Contents

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		Page
1	Short title .....	4
2	Act amended .....	4
3	Amendment of s 14 (Appointed members) .....	4
4	Amendment of s 15 (Elected members) .....	4
5	Amendment of s 16 (Additional members) .....	5
6	Amendment of s 17 (When council is taken to be properly constituted) 5	5
7	Amendment of s 19 (Elected member's term of office) .....	5
8	Amendment of s 20A (Dealing with casual vacancy in office of an elected member) .....	5
9	Amendment of s 24 (Vacation of office) .....	6
10	Amendment of s 26B (Council may remove member from office) .....	6
11	Amendment of s 39C (Council may remove chancellor, vice-chancellor or chairperson from office) .....	6
12	Insertion of new pt 10 .....	6
	Part 10 Transitional provisions for Queensland University of Technology Amendment Act 2021	
74	Definitions for part .....	7
75	Continuation of appointed members .....	7
76	Minister may remove existing appointed members ..	7
77	Term of office ends—particular academic staff member	8
78	Term of office ends—particular professional staff member	9
79	Continuation of elected members who are students .	9
80	Term of office ends—members elected as QUT Alumni	10
81	No compensation payable .....	10
82	Application of s 20A to particular persons whose term of office ends .....	10
13	Amendment of sch 2 (Dictionary) .....	11



**2021**

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**A Bill**

for

**An Act to amend the *Queensland University of Technology Act 1998* for particular purposes**

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## **The Parliament of Queensland enacts—**

### **1 Short title**

This Act may be cited as the *Queensland University of Technology Amendment Act 2021*.

### **2 Act amended**

This Act amends the *Queensland University of Technology Act 1998*.

### **3 Amendment of s 14 (Appointed members)**

Section 14(1), ‘8’—

*omit, insert—*

3

### **4 Amendment of s 15 (Elected members)**

(1) Section 15(1), ‘9’—

*omit, insert—*

5

(2) Section 15(2)—

*omit, insert—*

(2) The elected members are—

- (a) 2 members of the full-time and part-time academic staff; and
- (b) 1 member of the full-time and part-time professional staff; and
- (c) 1 undergraduate student; and
- (d) 1 postgraduate student.

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**5 Amendment of s 16 (Additional members)**

(1) Section 16(1), ‘2’—

*omit, insert—*

4

(2) Section 16(2), after ‘members’—

*insert—*

, at least 2 of whom must be alumni of the university

**6 Amendment of s 17 (When council is taken to be properly constituted)**

Section 17, ‘12’—

*omit, insert—*

8

**7 Amendment of s 19 (Elected member’s term of office)**

(1) Section 19(1), ‘, (b) or (d)’—

*omit, insert—*

or (b)

(2) Section 19(2), after ‘15(2)(c)’—

*insert—*

or (d)

**8 Amendment of s 20A (Dealing with casual vacancy in office of an elected member)**

(1) Section 20A(5)—

*omit, insert—*

(5) Despite subsection (4), if the elected member was a person of a class mentioned in section 15(2)(c) or (d), the council may appoint a person of the

[s 9]

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same class to the office.

(2) Section 20A(7)—

*omit.*

**9 Amendment of s 24 (Vacation of office)**

Section 24(1)(b)(ii), example, ‘a student’—

*omit, insert—*

an undergraduate student

**10 Amendment of s 26B (Council may remove member from office)**

Section 26B(1), ‘15’—

*omit, insert—*

10

**11 Amendment of s 39C (Council may remove chancellor, vice-chancellor or chairperson from office)**

Section 39C(1), ‘15’—

*omit, insert—*

10

**12 Insertion of new pt 10**

After section 73—

*insert—*

**Part 10**

**Transitional provisions  
for Queensland  
University of  
Technology  
Amendment Act 2021**



## 74 Definitions for part

In this part—

*former*, for a provision of this Act, means the provision as in force from time to time before the commencement.

*nominated person*, in relation to the drawing of a lot under this part, means an appropriately qualified member of the university's staff nominated in writing by the council to draw the lot.

## 75 Continuation of appointed members

- (1) This section applies to a person who was an appointed member immediately before the commencement.
- (2) Despite section 14, the person continues as an appointed member until the earlier of the following—
  - (a) the person is removed from office under section 76;
  - (b) the person's office becomes vacant.

## 76 Minister may remove existing appointed members

- (1) The Minister may, as soon as practicable after the commencement, remove an existing appointed member from office as an appointed member by notice given to the member.
- (2) In deciding whether to remove an existing appointed member from office, the Minister may have regard to the desirability of appointed members having a range of knowledge, experience or skills relevant to the functions of the council.
- (3) If the Minister decides to remove an existing

appointed member from office by notice given under subsection (1), the removal takes effect on the day stated in the notice, which must not be earlier than the day the notice is given to the member.

(4) In this section—

*existing appointed member* means a person who was an appointed member immediately before the commencement.

## **77 Term of office ends—particular academic staff member**

- (1) This section applies if, immediately before the commencement, there are 3 elected members of a class mentioned in former section 15(2)(a) (each an *academic staff member*).
- (2) On the commencement, the term of office of 1 academic staff member ends as follows—
  - (a) if the members were elected at the same council election and 1 member received the fewest votes of the academic staff members elected at the election—the term of office of the academic staff member who received the fewest votes ends;
  - (b) if the members were elected at the same council election and 2 members received an equal number of votes at the election, being fewer than the votes received by the academic staff member who received the most votes—the term of office of the academic staff member decided by lot drawn by the nominated person ends;
  - (c) otherwise—the term of office of the academic staff member decided by lot drawn by the nominated person ends.
- (3) If a lot is drawn between academic staff members

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under subsection (2)(b) or (c), the council must give the members notice of the outcome of the lot.

### **78 Term of office ends—particular professional staff member**

- (1) This section applies if, immediately before the commencement, there were 2 elected members of a class mentioned in former section 15(2)(b) (each a *professional staff member*).
- (2) On the commencement, the term of office of 1 professional staff member ends as follows—
  - (a) if the members were elected at the same council election and 1 member received the fewest votes of the professional staff members elected at the election—the term of office of the professional staff member who received the fewest votes ends;
  - (b) otherwise—the term of office of the professional staff member decided by lot drawn by the nominated person ends.
- (3) If a lot is drawn between professional staff members under subsection (2)(b), the council must give the members notice of the outcome of the lot.

### **79 Continuation of elected members who are students**

- (1) This section applies to a person who was an elected member of a class mentioned in former section 15(2)(c) immediately before the commencement.
- (2) Despite new section 15(2), the person continues in office as an elected member of a class mentioned in former section 15(2)(c) for the remainder of the person's term of office.
- (3) This Act as in force immediately before the

commencement continues to apply in relation to the person and the person's term of office as if the amending Act had not commenced.

(4) To remove any doubt, it is declared that former section 20A continues to apply in relation to the person's office as if the amending Act had not commenced.

(5) In this section—

*amending Act* means the *Queensland University of Technology Amendment Act 2021*.

*new*, for a provision of this Act, means the provision as in force from the commencement.

## **80 Term of office ends—members elected as QUT Alumni**

(1) This section applies to a person who, immediately before the commencement, was an elected member of a class mentioned in former section 15(2)(d).

(2) On the commencement, the person's term of office as an elected member ends.

## **81 No compensation payable**

No compensation is payable to a person whose term of office ends under this part.

## **82 Application of s 20A to particular persons whose term of office ends**

For section 20A(2)(b) and (c), a person whose term of office ends under section 77(2) or 78(2) is taken not to have been elected to the office.

**13 Amendment of sch 2 (Dictionary)**

Schedule 2, definition *eligible person*, paragraphs (c) and (d)—

*omit, insert—*

- (c) for the class mentioned in section 15(2)(c)—an undergraduate student; or
- (d) for the class mentioned in section 15(2)(d)—a postgraduate student.

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