

Queensland



# GRIFFITH UNIVERSITY ACT 1971

**Reprinted as in force on 11 December 1995  
(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 11 December 1995 . 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)
- make all necessary consequential amendments (s 7(1)(k)).

**Also see endnotes for information about—**

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

# Queensland



## GRIFFITH UNIVERSITY ACT 1971

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# GRIFFITH UNIVERSITY ACT 1971

[as amended by all amendments that commenced on or before 11 December 1995 ]

**An Act to provide for the establishment and incorporation of the Griffith University at Brisbane, and for purposes connected therewith**

## PART 1—PRELIMINARY

### Short title

1. This Act may be cited as the *Griffith University Act 1971*.

### Interpretation

3. In this Act—

“**company**” includes, for the purposes of sections 4(2)(db), 35A, 35C and 35D, a corporation within the meaning of the Companies (Queensland) Code, an association or a partnership.

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

“**council**” means the council of the university constituted under this Act.

“**faculty staff**” means the members of the teaching or research staff of the university whose status is equivalent to that of a teaching fellow or above.

“**general staff**” means staff of the university (other than the vice-chancellor appointed under section 14, the executive officers within the meaning of the statutes and the faculty staff) whose functions are principally managerial, technical, clerical or operative.

“**graduate of the university**” means any person to whom is granted a

degree or diploma of the university.

“**rules**” means the rules made by the council under section 36.

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

“**student representative council**” means the Griffith University Student Representative Council.

“**university**” means the Griffith University, established and incorporated by 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*

#### **Establishment and incorporation of university**

**4.(1)** A university to be known as the Griffith University consisting of a council, the students of the university, the graduates of the university and such members or classes of members of the staff of the university as are specified by the statutes, is hereby established at Brisbane in the State.

**(2)** The university shall be a body corporate under the name of the Griffith University and by that name shall have perpetual succession and a common seal and be capable of—

- (a) suing and being sued; and
- (b) compounding or proving in any court of competent jurisdiction all debts or sums of money due to it; and
- (c) taking, acquiring by grant, purchasing, taking on lease, property (whether situated in Queensland or elsewhere); and
- (d) granting, selling, alienating, leasing, assigning, transferring and surrendering to the Crown property (whether situated in Queensland or elsewhere); and



- (da) accepting gifts, grants, bequests or devises and creating and administering trust funds; and
- (db) 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; and
- (e) doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

### **Functions of the university**

**5.(1)** The functions of the university shall, within the limits of its resources, include the following—

- (a) to encourage and provide facilities for study and research generally;
- (b) to provide educational facilities at university standard for persons seeking the benefits of such facilities who, being eligible, are permitted by the university to use such facilities;
- (ba) to provide facilities for the welfare of staff and students;
- (c) to establish such facilities as the university deems desirable for providing courses of study or instruction at such levels of attainment as the council deems proper to meet the special needs of the community;
- (d) to disseminate knowledge and to promote scholarship otherwise than as elsewhere in this subsection provided;
- (e) subject to the statutes, to award and confer degrees, diplomas and other awards;
- (f) to aid by research and other appropriate means the advancement and development of knowledge and the practical application of knowledge to government, industry, commerce and the community;
- (g) 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.

(2) The council may, for the purpose of discharging the functions of the university, establish such organisational sections or units as it sees fit.

(3) For the purpose of discharging the functions of the university, the council may as the council may think fit—

- (a) acquire by purchase, lease or otherwise, land (whether improved or not) suitable for student and staff residential purposes; and
- (b) erect on lands of the university, whether acquired for that purpose or not, buildings suitable for such purposes; and
- (c) enter into such arrangements with any other party as the council may decide for the provision of student and staff residential accommodation.

### *Division 2—The council*

#### **The council**

6.(1) There shall be a council of the university which shall have and may exercise and discharge the powers, authorities, duties and functions conferred or imposed upon the council by or under this Act.

(2) The governing authority of the university shall be the council.

#### **Constitution of council**

8.(1) Subject to subsection (3), the council shall consist of the following members—

- (a) the chancellor of the university who shall be ex officio a member;
- (b) the vice-chancellor of the university who shall be ex officio a member;
- (c) the Director-General of Education or the nominee of the Director-General of Education, who shall be ex officio a member;
- (d) 4 members who are members of the faculty staff elected by that

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staff in the manner prescribed by the statutes;

- (e) 3 members each of whom is an enrolled student of the university and 1 of whom shall be a part-time undergraduate student, elected in such manner and by such bodies or persons as the council may from time to time determine;
- (f) 2 members who are members of the general staff, elected by that staff in the manner prescribed by the statutes;
- (fa) where—
  - (i) a college, within the meaning of that term in part 3, is established after the commencement of the *Griffith University and Gold Coast College of Advanced Education Amalgamation Act 1990*, section 4, in the stead of the Gold Coast College of Advanced Education; and
  - (ii) an advisory council has been constituted for that college under part 3, for not less than 28 days;

2 members of that advisory council, appointed by the advisory council in the manner prescribed by the statutes;

- (g) 6 members appointed by the Governor in Council;
- (h) not more than 3 members appointed or elected by convocation in the manner prescribed by the statutes but so that there shall not at any time be included in the number of persons so appointed or elected a person whose sole or principal employment is in connection with the person's duties as a member of the staff at the university or who is a full-time or part-time student of the university.

**(1A)** A person who is a member of the staff appointed to, or a student enrolled in a program at, the college within the meaning of that term in part 3, established in the stead of the Gold Coast College of Advanced Education is not eligible—

- (a) to vote in any election conducted for the purpose of electing members of the council; or
- (b) to be appointed or elected as an appointed member of the council pursuant to subsection (1)(d), (e) or (f).

**(3)** The council as constituted for the time being may from time to time

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appoint a person or persons to be a member or, as the case may be, members of the council, but so that—

- (a) the number of persons so appointed shall not at any one time exceed 2;
- (b) the term of office of a member appointed in pursuance of this subsection shall, subject to this Act, expire on a date determined by the council at the time of the member's appointment but shall not in any case exceed 3 years from the date of the member's appointment;
- (c) a person whose sole or principal employment is in connection with the person's duties as a member of the staff of the university or who is a student of the university shall not be appointed a member of the council under this subsection.

(4) A member of the council other than an ex-officio member is in this Act referred to as an **“appointed member”**.

(5) The appointed members of the council elected as contemplated by subsection (1)(d), (e) or (f) shall, subject to this Act, hold office for a period of 2 years.

(5A) The appointed members of the council appointed or elected as contemplated by subsection (1)(fa), (g) or (h) shall, subject to this Act, hold office for a period of 3 years.

(6) Subject to section 11(4), in the event of a casual vacancy in the office of an appointed member of the council a member shall be appointed or elected—

- (a) in such cases and in such circumstances as are specified in the statutes—in such manner as is prescribed by the statutes; or
- (b) where no cases or circumstances are so specified—in the same manner as that in which the member whose office is vacant was appointed or elected;

and the person so appointed or elected shall hold office for the residue of his or her predecessor's term of office.

(7) If a body or persons permitted or required by this section to appoint or elect a person or number of persons to be a member or members of the council fails or refuses to appoint or elect a sufficient number of such

persons by a date determined by the council, the Minister may appoint a sufficient number of persons who shall be deemed to have been appointed or elected by the body or persons who could or should have appointed or elected him, her or them.

(8) If—

- (a) an appointed member of the council is or may be prevented by absence, illness or other cause whatsoever, from performing his or her duties as a member of the council; and
- (b) the person who, or the executive or other group or person charged with the management of the affairs of the body which, appointed or elected such member is or are of opinion that the member will be so prevented from performing those duties during the period during which 2 or more ordinary meetings of the council may be held;

that person, executive or other group, as the case may be, may appoint some other eligible person to act as a member of the council in place of the member during such time as the member is prevented from performing those duties, and the person appointed whilst so acting shall have and may exercise all the powers, functions and authorities of, and may perform all the duties of, a member of the council.

(9) The council shall be deemed to be duly constituted and shall discharge its duties and functions and may exercise its powers and authorities notwithstanding that a member or members have not been appointed or elected as contemplated by subsection (1)(d), (e), (f), (fa), (g) or (h) and notwithstanding any vacancy on the council provided the number of members of the council for the time being is not less than 10.

### **Disqualifications from office**

9.(1) A person who—

- (a) is an undischarged bankrupt or 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 unless the council is of the opinion that the circumstances of the offence do not warrant disqualification from office; 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 council.

(2) A person who ceases to hold the office or qualification essential to the person's appointment or election as a member of the council in terms of section 8(1)(d), (e), (f), (fa) or (h) is not capable of continuing to be a member of the council in terms of the relevant paragraph.

### **Vacation of office**

**10.** An appointed member shall be deemed to have vacated office as an appointed member if the member—

- (a) dies; or
- (b) is absent, without leave granted by the council, from every meeting of the council, of which due notice has been given to the member, in any period of 6 months; or
- (c) resigns office by signed notice delivered to the registrar; or
- (d) becomes an ex-officio member.

### **Appointment of chancellor**

**11.(1)** Whenever a vacancy occurs in the office of chancellor of the university the council shall elect a person to such office for such period (not exceeding 5 years) and on such conditions as are provided by the statutes.

(2) The chancellor may be elected from amongst the members of the council or otherwise.

(4) When the person elected as chancellor is already an appointed member of the council at the time of the person's election, the office that the person held as such a member shall be declared vacant, and thereupon the appropriate steps shall be taken pursuant to section 8(6) by the person or body concerned to fill the vacancy for the unexpired portion of the term for which the person was appointed as an appointed member unless in a case

where that unexpired portion is less than 6 months the council by resolution determines that the position be not filled.

### **Election of deputy chancellor**

**12.(1)** The council shall at the ordinary general meeting immediately prior to the day on which the term of office of the deputy chancellor is to expire or as soon as possible after such expiration at an ordinary general meeting, elect one of its number to be deputy chancellor of the university.

**(2)** The deputy chancellor shall hold office for 1 year from the date of the deputy chancellor's election or until the election, pursuant to subsection (1), of another deputy chancellor whichever first happens and on such conditions as are prescribed by the statutes.

**(3)** In the absence of the chancellor or during a vacancy in the office of chancellor or during the inability of the chancellor to act, the deputy chancellor shall have all the powers and duties of the chancellor.

### **Chair of council**

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

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

(a) the deputy chancellor; or

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

shall preside.

### **Appointment of vice-chancellor**

**14.(1)** The council shall appoint a person to be vice-chancellor who on and from the date of assuming such office shall be an officer of the university.

**(2)** Whenever a vacancy occurs in the office of vice-chancellor, the council shall, subject to subsections (4) to (4B), appoint a person to be vice-chancellor.

(3) Subject to subsection (4), the vice-chancellor shall be appointed for such period and on such conditions as the council determines.

(4) Any appointment made under this section and the period and conditions of such an appointment (other than an appointment made under subsections (4A) and (4B)) shall be of no force and effect unless and until the same are approved by the Governor in Council.

(4A) The council may, during any vacancy in the office of vice-chancellor or during any absence of the vice-chancellor or inability of the vice-chancellor to perform the duties of office as such, appoint a person to be Acting vice-chancellor for such period and on such conditions as the council determines provided that the period of any such appointment shall not exceed 12 months.

(4B) Any person appointed under subsection (4A) shall during the term of the person's appointment possess all the powers and perform all the duties of the vice-chancellor.

(5) The vice-chancellor shall be the chief executive officer of the university and shall possess such powers and perform such duties as the statutes prescribe or, subject to the statutes, as the council determines.

### **Appointment of deputy vice-chancellors and pro-vice-chancellors**

14A. The council may from time to time appoint deputy vice-chancellors and pro-vice-chancellors on such terms and conditions and to perform such functions as the council from time to time determines.

### **Re-election or reappointment**

15. 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**

16. No proceedings of the council, or of any committee thereof or of any committee or board of the university, and no act done by the chancellor, deputy chancellor, vice-chancellor or any other officer whilst any of those



persons is acting pursuant to and in accordance with the statutes in the office to which he or she was appointed shall be invalidated by reason of—

- (a) any defect in the appointment or election of, or of any disqualification of, any member of the council or of any committee or board of the university; or
- (b) any defect in the convening or conduct of any meeting of the council or any committee thereof or of any committee or board of the university; or
- (c) there being any vacancy in the number of members of the council or any committee thereof or of any committee or board of the university; or
- (d) the fact that a person purporting to be a member of the council or any committee thereof or of any committee or board of the university 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 council or any committee thereof or of any committee or board of the university was not such a member.

### **Powers of council**

**17.** Subject to this Act and the statutes, the council—

- (a) shall have full power and authority to appoint and dismiss members of the faculty or general staff and other officers and employees of the university; and
- (b) subject to paragraph (c) 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; and
- (c) shall have the entire management and control of the finances of the university.

**Superannuation schemes**

**17A.(1)** The council 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.<sup>1</sup>

**Delegation by council**

**18.(1)** The council 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 32A(2)) to any member of the council or to any committee appointed by the council, or to any officer or officers of the university.

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

**(3)** A power, authority, duty or function delegated by the council 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 council in relation to a matter—upon the opinion, belief or state of mind of the delegate in relation to that matter.

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<sup>1</sup> Part 6 (Audit of public accounts and public sector entities)

***Division 3—Convocation*****Constitution of convocation**

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

- (a) all members and past members of the council; and
- (b) all past members of the interim council of the Griffith University; and
- (c) all graduates of the university enrolled as members of convocation in the register of graduates in accordance with the provisions of the statute relating to such register; and
- (d) all faculty staff of the university and such other members or classes of members of the staff of the university as the statutes may prescribe; and
- (e) such graduates of other universities, or other persons or classes of persons, as are, in accordance with the statutes, admitted as members of convocation.

**(2)** Save as prescribed by or under the statutes, meetings of convocation shall be convened and the business at such meetings shall be conducted in such manner as the council shall determine.

**(3)** Save as prescribed by or under the statutes, a quorum of any meeting of convocation shall be such number of members as the council shall determine.

**(4)** Convocation shall have and may exercise such powers, authorities, duties and functions as may be prescribed by the statutes.

**(5)** The statutes may provide for the election by convocation of officers of convocation and of a standing committee and other committees.

***Division 4—Board of community services*****Board of community services**

**20.(1)** There shall be a board of community services within the university.

(2) The board shall be constituted, and shall have such functions, powers and authorities and such duties and responsibilities, as shall from time to time be prescribed by or under the statutes.

### *Division 5—Student representative council*

#### **The Griffith University Student Representative Council**

**21.(1)** There shall be a Griffith University Student Representative Council.

(2) As from such date as the Governor in Council may appoint in that behalf and notify by proclamation published in the gazette, the student representative council shall be a body corporate under the name of the Griffith University Student Representative Council and by that name shall have perpetual succession and a common seal and be capable of suing and being sued.

(3) The student representative council shall have such other powers and authorities and be subject to such obligations as shall from time to time be prescribed by or under the statutes.

(4) When and after the student representative council is duly constituted, the council, except in the case of emergency (of which the council shall be sole judge), shall submit to the student representative council a draft of any proposed statute affecting the powers, authorities or obligations of the student representative council and shall consider any representations the student representative council may make thereon.

(5) The constitution of the student representative council and all amendments thereto or alterations or modifications thereof shall be submitted to the council through the registrar and shall have no force or effect unless and until approved by the council.

(6) The council may give such directions, not inconsistent with this Act, as it deems expedient for the purpose of facilitating and enabling the preparation and adoption of a constitution by the student representative council and all things done and steps taken by or in relation to the student representative council in accordance with such directions shall be of full force and effect and binding on the student representative council and all persons.

### **Composition and recognition of the student representative council**

**22.(1)** All students of the university and such other persons as shall be defined by its constitution shall be eligible for membership of the student representative council.

**(2)** The student representative council shall be an organised association of such students and other members for the furthering of the objects of the student representative council as defined by its constitution.

**(3)** It is not the intention of this part that the student representative council shall be, or shall be regarded as, for any purpose the servant or agent of the council or the university.

## **PART 3—ESTABLISHMENT OF COLLEGES**

### **Establishment of university colleges**

**23.(1)** The Governor in Council on the recommendation of the council, may from time to time by order in council establish colleges or other university institutions (a “college”) for the purpose of carrying out at those colleges or institutions any or all of the functions specified in section 5(1).

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

- (a) assign to the college such name or title as the Governor in Council thinks appropriate; and
- (b) declare at what place the college shall be situated; and
- (c) specify the provisions applicable to and in relation to the college which provisions shall be binding upon all persons in relation to that college and which may include—
  - (i) the powers, authorities, duties and functions which the council may exercise and perform in respect of the college;
  - (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;
  - (iii) the financial arrangements for or in respect of the establishment or maintenance of or both the establishment and maintenance of, the college;
  - (iv) generally such other matters or things that may be necessary or desirable in order to carry out in respect of the college the purposes of this part; and
- (d) establish a board of community services for the college and provide for the membership of the board and specify the functions, powers and authorities and the duties and responsibilities of the board.

(3) 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 this subsection) 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.

### **A college to be part of university**

**24.(1)** A college shall be, and shall function as, part of the Griffith University.

(2) Subject as otherwise may be provided by order in council made under section 23 or by statute, the council may exercise in relation to a college all the powers conferred on the council or university 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 council 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.

(3) Subsection (2) shall be construed as being in aid of and not in derogation of subsection (1).

### **Student representative council for a college**

**24A.(1)** The Governor in Council may in the order in council

establishing a college under this part or by another order in council establish a student representative council for that college.

(2) 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 this section) such and so many orders in council, either at the same time or from time to time, as the Governor in Council shall consider necessary or expedient in the circumstances.

(3) As from such date as the Governor in Council may appoint for that purpose, a student representative council established under subsection (1) shall be a body corporate under the name '(name of college) student representative council', and by that name shall have perpetual succession and a common seal and be capable of suing and being sued.

(4) The student representative council for a college shall have such other powers and authorities and be subject to such obligations as shall from time to time be prescribed by or under the statutes.

(5) When and after the student representative council for a college is duly constituted, the council, except in the case of emergency (of which the council shall be sole judge), shall submit to the student representative council for the college, a draft of any proposed statute affecting the powers, authorities or obligations of the student representative council for the college, and shall consider any representations the student representative council for the college may make thereon.

(6) The constitution of the student representative council for a college and all amendments thereto or alterations or modifications thereof shall be submitted to the council through the registrar and shall have no force or effect unless and until approved by the council.

(7) The council may give such directions, not inconsistent with this Act, as it considers expedient for the purpose of facilitating and enabling the preparation and adoption of a constitution by the student representative council for a college, and all things done and steps taken by or in relation to the student representative council for the college in accordance with such directions shall be of full force and effect and binding on the student representative council for the college and all persons.

**Composition and recognition of the student representative council for a college**

**24B.(1)** All students of the college concerned and such other persons as shall be defined by its constitution shall be eligible for membership of the student representative council of that college.

(2) The student representative council for a college shall be an organised association of such students and other members for the furthering of the objects of the student representative council for the college as defined by its constitution.

(3) It is not the intention of this part that the student representative council of a college shall, for any purpose, be, or be regarded as, the servant or agent of the council or the university.

**Powers and functions of advisory council**

**25.** 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 council by section 24 as are delegated from time to time to the advisory council by the council.

**Gifts, devises etc. of property to or for a college**

**26.(1)** 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.

(2) 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 for 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.

(3) If before the establishment of a college under this part any property had 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 4—PROPERTY AND FINANCE**

### **Variation of terms of trusts and gifts**

27.(1) Where any property is held by or for 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 of 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 council 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 council to the Governor in Council.

(3) Upon receipt of a scheme pursuant to subsection (2), 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.

(4) A scheme approved by the Governor in Council (with or without modifications) under subsection (3), in this section and sections 28 and 29, in relation to the property or part or residue thereof concerned, called the ‘approved scheme’ and shall be published in the gazette.

(5) 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.

### **Amendment of approved scheme**

**28.(1)** If the council desires from time to time to amend an approved scheme it shall submit its amendment or amendments to the Governor in Council.

(2) Upon receipt of the amendment or amendments of an approved scheme pursuant to subsection (1), 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 amendment or amendments.

(3) An amendment or amendments to an approved scheme approved by the Governor in Council under subsection (2) 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 the approval and as so amended shall be the approved scheme for the time being in relation to the property, part or residue the subject of such scheme.

### **Provisions relating to approved schemes**

**29.(1)** Where property the subject of an approved scheme consists (wholly or in part) of land, the university shall within 1 calendar month after the publication in the gazette of the approved scheme and within 1 calendar month 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 the approved scheme or, as the case may be, amendment.

(2) In selecting a purpose for an approved scheme or for any amendment of an approved scheme the council 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 but 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 council in accordance with this subsection.

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

(4) The powers conferred by this section and sections 27 and 28 are in addition to any other powers or rights exercisable in law in respect of property held by the university upon trust.

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

**30.** In exercising its power to take, acquire by grant, purchase or take on lease any property the university may agree to and carry out any conditions of any gift, grant, bequest, devise or other means whereby it takes or

acquires any property or of any such purchase or lease and the council may create and administer any trust fund or funds in connection therewith or for any other purpose whatsoever.

### **Powers of investment**

**31.(1)** The council 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 council 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 council 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 council 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, there may be paid 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 council 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 council from time to time in any form of investment authorised by statute whether an authorised trustee investment or not.

**(7)** The powers conferred on the council by this section or by any statute relating to investment of property shall not be exercised by the council 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 the power would constitute a breach of any condition under which the fund or moneys in question were acquired.

### **Endowment**

**32.** There shall be paid to the council each year out of the consolidated revenue such sums as are appropriated by Parliament for the purpose.

### **Budget**

**32A.(1)** The council shall, 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 subsection (2) 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.

**(2)** The council shall 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.

### **Application of revenue by university**

**33.(1)** All fees and all other moneys received by the council under this Act or otherwise shall, subject to this part of this Act and to the terms of any applicable trust, be applied by the council solely for the purposes of the university.

**(2)** For the purposes of subsection (1), the application of moneys from time to time by the council 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;

is an application of those moneys for the purposes of the university.

### **Financial accommodation**

**34.(1)** For the purpose of providing financial accommodation for enabling the university to perform and exercise its functions and all powers that are incidental in or necessary or conducive to the proper performance of its functions, the council, 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 council, 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 council shall obtain the sanction of the Treasurer authorising it to enter into such negotiations and for the purpose of obtaining that sanction the council shall submit to the Treasurer such information as the Treasurer may require.

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

### **Accounts and audit**

**35.(1)** The council 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 council 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 council the results of the audit carried out under subsection (3) and, if the auditor-general deems necessary, shall make recommendations to the council in regard to the conduct of the financial transactions of the university and the manner of operating and maintaining the accounts.

(5) The council shall give due consideration to the report and recommendations (if any) of the auditor-general made under 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 4A—PROVISIONS RELATING TO COMPANIES, JOINT AGREEMENTS AND ARRANGEMENTS, AGREEMENTS FOR USE OF FACILITIES AND STAFF**

### **Formation of and participation in companies etc.**

**35A.(1)** The university, in the performance of its functions under this Act and without limiting the provisions of section 4(2)(db), 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 council 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**

**35B.** The university, in such circumstances and subject to such terms and conditions as the council thinks fit, may contract or otherwise enter into an arrangement with any person or body for the use by him, her or it of the university's facilities and staff.



**Companies to furnish returns etc.**

**35C.** Any company—

- (a) formed by the university pursuant to section 35A; or
- (b) managed by the university; or
- (c) of which the university becomes a member;

shall furnish the council with such reports, returns and information relative to the company's affairs as are from time to time required by the council.

**Audit requirements**

**35D.** The *Financial Administration and Audit Act 1977*, section 46I applies, to the extent provided by that section, to any company associated with the university pursuant to section 35C.

## **PART 5—STATUTES AND REGULATIONS**

**Statutes**

**36.(1)** The council 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.

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

- (a) the use and custody of the common seal;
- (b) the election or appointment of members of the council or of committees or boards of the university;
- (c) the manner and time of convening, holding, and adjourning the meetings of the council and of convocation;
- (d) the quorum of and voting at such meetings;

- (e) the powers and duties of the person acting as chairperson thereof;
- (f) the chair of convocation;
- (g) the conduct and record of the business of the council and of convocation;
- (h) the establishment and appointment of committees of the council and of convocation, and the quorum, powers, and duties of such committees;
- (i) the resignation of members of the council, the chancellor and the deputy chancellor;
- (j) the appointment of a person to act for the deputy chancellor during the illness or absence of such officer;
- (k) the number, appointment, termination of appointment, discipline and, subject to applicable awards or industrial agreements, the stipends or salaries or wages of members of the faculty or general staff and other officers and employees of the university;
- (l) the establishment, management and control of funds calculated to benefit members of the faculty or general staff and other officers and employees of the university or their dependants;
- (m) the admission of students;
- (n) the granting of degrees, diplomas, and other awards;
- (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 admission of members to convocation;
- (r) the fees to be paid for examinations, for the granting of degrees, diplomas, and other awards, for attendance at the lectures and classes of the university, and for the use of university facilities;
- (s) 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;

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- (t) 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;
- (u) the establishment, management, and control of libraries and museums in connection with the university;
- (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 control and investment of the property of the university, including property held upon trust or subject to a condition;
- (x) the protection of the property of, or under the control of, the university from trespass or damage or misuse;
- (y) 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;
- (z) the board of community services—the constitution and the functions, powers, authorities, duties and obligations of the said board;
- (za) the Griffith University student representative council—the powers, authorities, and obligations of the student representative council;
- (zb) the form and use of arms or armorial bearings of the university or of any college within or associated with the university;
- (zc) the granting of financial and other assistance to students of the university;
- (zd) the ownership and exploitation of inventions and discoveries, that are the property of the university, made by the staff or students of the university.

**(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)(y) as amended by the *Universities Acts Amendment Act 1983* and in subsections (1A) to (1C).

**(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 in subsection (1A)(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 council may by statute repeal, rescind, revoke, alter, vary, amend or otherwise modify any statute or part of a statute.

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

(4) All rules made pursuant to this section by the council 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.

(5) A statute may impose or authorise the council 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.

(6) 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*.

### **Confirmation of certain powers etc.**

**36A.(1)** It is, and it is hereby declared always was, competent to the council or any member thereof to contract or otherwise arrange with a student of the university for the provision of monetary loans to that student, in the case of such a loan made after the commencement of the *Universities and Colleges of Advanced Education Act 1989*, section 21, subject to a statute made pursuant to section 36(1AA)(zc), and this section shall have retrospective effect accordingly.

(2) Neither the council nor any member or employee thereof shall be held

to have exceeded its, his or her powers under the *Griffith University Act 1971* in respect of a contract or arrangement of a kind referred to in subsection (1) and made prior to the commencement of the *Universities and Colleges of Advanced Education Act 1989*, section 21.

### **Statutes to be approved by Governor in Council**

**37.(1)** Every statute made by the council shall be sealed with the common seal of the university, and shall be transmitted to the Minister to be dealt with in accordance with this section.

**(2)** The Minister 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**

**38.(1)** The Governor in Council may from time to time make regulations, not inconsistent with this Act, providing for all matters, 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 and rules 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, or a rule and a regulation, the regulation shall prevail.

### **Tabling of certain subordinate legislation**

**39.(1)** The *Acts Interpretation Act 1954*, section 28A applies in respect of orders in council and statutes made for the purposes of this Act, and, for the purposes of that application, that section shall be read and construed as if references to regulations were references to orders in council and statutes made for the purposes of this Act.

(2) Every proclamation made under this Act shall be laid before the Legislative Assembly within 14 sitting days after publication in the gazette.

## **PART 6—MISCELLANEOUS**

### **No test of religion, politics, race or sex**

**40.** No test of religion, politics, race or sex shall be administered to any person in order to entitle the person to be admitted as a student of the university, or to hold office therein, or to graduate thereat, or to enjoy any benefit, advantage, or privilege thereof, and no person shall be denied admission as a student of the university or be ineligible to hold office therein or to graduate thereat or to enjoy any benefit, advantage, or privilege thereof by reason of that person's sex, race, political or religious views or beliefs.

### **Council to report annually**

**41.(1)** The council shall as soon as practicable after each 31 December prepare and transmit to the Governor in Council a report of the proceedings of the university during the year ended on that date.

(2) The report shall include a summary of the work, researches and investigations carried out by the university during the period covered by the report.

(3) The report shall contain a copy of the statement of accounts transmitted to the Minister pursuant to section 35.

(4) A copy of every such report shall be laid before the Legislative Assembly as soon as practicable after it has been received by the Minister.

## **PART 7—TRANSITIONAL REFERENCES**

### **Gold Coast College of Advanced Education references**

**42.** In an Act, a reference to the Gold Coast College of Advanced Education 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 council of the university.

### **Queensland Conservatorium of Music references**

**43.** In an Act, a reference to the Queensland Conservatorium of Music may, if the context permits, be taken to be a reference to the university, and a reference to the council of the conservatorium may, if the context permits, be taken to be a reference to the council of the university.



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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 11 December 1995. Future amendments of the Griffith University Act 1971 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) | = | previously                     |
| amd    | = | amended                      | proc   | = | proclamation                   |
| ch     | = | chapter                      | prov   | = | provision                      |
| def    | = | definition                   | pt     | = | part                           |
| div    | = | division                     | pubd   | = | published                      |
| exp    | = | expires/expired              | R[X]   | = | Reprint No.[X]                 |
| gaz    | = | gazette                      | RA     | = | Reprints Act 1992              |
| hdg    | = | heading                      | reloc  | = | relocated                      |
| ins    | = | inserted                     | renum  | = | renumbered                     |
| lap    | = | lapsed                       | rep    | = | repealed                       |
| notfd  | = | notified                     | s      | = | 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                     |
| prev   | = | previous                     |        |   |                                |

### 4 List of legislation

#### **Griffith University Act 1971 No. 38**

date of assent 30 September 1971

s 19 commenced 1 April 1975 (proc pubd gaz 22 March 1975 p 1123)

remaining provisions commenced on date of assent

as amended by—

#### **Griffith University Act Amendment Act 1973 No. 49**

date of assent 22 October 1973

commenced on date of assent

#### **Universities Acts Amendment Act 1977 No. 4 pt 2**

date of assent 5 April 1977

commenced on date of assent

#### **Griffith University Act Amendment Act 1980 No. 48**

date of assent 4 September 1980

commenced 13 December 1980 (proc pubd gaz 13 December 1980 p 1517)

#### **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 3, sch**

date of assent 19 April 1983

commenced on date of assent

**Educational Institutions (Amendment of Superannuation Provisions) Act 1984  
No. 82 pt 5**

date of assent 26 October 1984

commenced on date of assent

**Universities and Colleges (Higher Education Administration Charges) Act 1987  
No. 2 pt 3**

date of assent 19 March 1987

commenced 4 April 1987 (proc pubd gaz 4 April 1987 p 1649)

**Universities and Colleges of Advanced Education Act 1989 No. 62 pt 4**

date of assent 12 May 1989

commenced 5 August 1989 (proc pubd gaz 5 August 1989 p 3002)

**Griffith University and Gold Coast College of Advanced Education  
Amalgamation Act 1990 No. 3 pt 3**

date of assent 4 April 1990

commenced 2 July 1990 (proc pubd gaz 30 June 1990 p 1343)

**Statute Law (Miscellaneous Provisions) Act 1990 No. 88 s 3 sch**

date of assent 6 December 1990

commenced on date of assent

**Griffith University and Queensland Conservatorium of Music Amalgamation  
and Miscellaneous Amendments Act 1991 No. 23 pt 3**

date of assent 5 June 1991

commenced on date of assent (see s 2(1))

**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

## 5 List of annotations

**Short title****prov hdg** amd R1 (see RA s 7(1)(k))**s 1** amd R1 (see RA s 37)**Division of Act****s 2** amd 1989 No. 62 s 14

om R1 (see RA s 36)

**Interpretation****s 3** def “**academic staff**” om 1980 No. 48 s 3def “**company**” ins 1989 No. 62 s 15def “**faculty staff**” ins 1980 No. 48 s 3def “**general staff**” ins 1980 No. 48 s 3

def “**graduate of the university**” ins 1980 No. 48 s 3  
 def “**Minister**” om R1 (see RA s 39)  
 def “**permanent academic staff**” om 1980 No. 48 s 3  
 def “**vehicle**” ins 1983 No. 20 s 9

**Establishment and incorporation of university**  
 s 4 amd 1980 No. 48 s 4; 1989 No. 62 s 16

**Functions of the university**  
 s 5 amd 1980 No. 48 s 5; 1989 No. 62 s 17

**Constitution of first Council**  
 s 7 om 1980 No. 48 s 6

**Constitution of council**  
 prov hdg amd 1980 No. 48 s 7(a)  
 s 8 amd 1980 No. 48 s 7(b); 1983 No. 20 s 10; 1990 No. 3 s 21; 1991 No. 23  
 s 22; R1 (see RA s 38)

**Disqualifications from office**  
 s 9 amd 1980 No. 48 s 8; 1990 No. 3 s 22

**Appointment of chancellor**  
 s 11 amd 1980 No. 48 s 9

**Election of deputy chancellor**  
 s 12 amd 1980 No. 48 s 10

**Chair of council**  
 s 13 amd 1980 No. 48 s 11; R1 (see RA s 25)

**Appointment of vice-chancellor**  
 s 14 amd 1980 No. 48 s 12

**Appointment of deputy vice-chancellors and pro-vice-chancellors**  
 s 14A ins 1980 No. 48 s 13  
 sub 1989 No. 62 s 18

**Validity of proceedings**  
 s 16 amd 1980 No. 48 s 14

**Powers of council**  
 s 17 amd 1980 No. 48 s 15

**Superannuation schemes**  
 s 17A ins 1984 No. 82 s 10  
 amd 1990 No. 88 s 3 sch  
 sub 1995 No. 36 s 9 sch 2

**Delegation by council**  
 s 18 amd 1973 No. 49 s 2; 1980 No. 48 s 16

**Constitution of convocation**  
 s 19 amd 1980 No. 48 s 17; R1 (see RA s 37)

**Establishment of university colleges**  
 s 23 amd 1980 No. 48 s 18; 1990 No. 3 s 23

**A college to be part of university**

s 24 amd 1980 No. 48 s 19

**Student representative council for a college**

s 24A ins 1990 No. 3 s 24

**Composition and recognition of the student representative council for a college**

s 24B ins 1990 No. 3 s 24

**Powers of investment**

s 31 amd 1973 No. 49 s 3

**Budget**

s 32A ins 1980 No. 48 s 20

**Financial accommodation**

prov hdg sub 1977 No. 4 s 4(a)

s 34 amd 1977 No. 4 s 4(b); 1980 No. 48 s 21; 1982 No. 33 s 14(2), (4) sch 3;  
1983 No. 20 s 11**PART 4A—PROVISIONS RELATING TO COMPANIES, JOINT AGREEMENTS AND ARRANGEMENTS, AGREEMENTS FOR USE OF FACILITIES AND STAFF**

pt hdg ins 1989 No. 62 s 19

**Formation of and participation in companies etc.**

s 35A ins 1989 No. 62 s 19

**Use of facilities and staff**

s 35B ins 1989 No. 62 s 19

**Companies to furnish returns etc.**

s 35C ins 1989 No. 62 s 19

**Audit requirements**

s 35D ins 1989 No. 62 s 19

**Statutes**s 36 amd 1980 No. 48 s 22; 1983 No. 20 s 12 sch; 1987 No. 2 s 7; 1989 No. 62 s  
20**Confirmation of certain powers etc.**

s 36A ins 1989 No. 62 s 21

**Tabling of certain subordinate legislation**

s 39 sub 1990 No. 3 s 25

**No test of religion, politics, race or sex**

prov hdg sub 1980 No. 48 s 23(a)

s 40 amd 1980 No. 48 s 23(b)

**PART 7—TRANSITIONAL REFERENCES**

pt hdg ins 1995 No. 58 s 4 sch 1

**Gold Coast College of Advanced Education references**

s 42 ins 1995 No. 58 s 4 sch 1

**Queensland Conservatorium of Music references**

s 43 ins 1995 No. 58 s 4 sch 1

**6 Table of changed names and titles**TABLE 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 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 provisions of law inclusive | Acts Interpretation Act 1954 s 35D   |
| references to Queensland implied          | Acts Interpretation Act 1954 s 35  |

## 8 Table of corrected minor errors

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

| Provision | Description                                       |
|-----------|---|
| 8(1)(fa)  | om ‘ <i>Griffith</i> ’ ins ‘the <i>Griffith</i> ’ |

## 9 Table of renumbered provisions

### TABLE OF RENUMBERED PROVISIONS under the Reprints Act 1992 s 43

| Previous  | Renumbered as |
|---|---------------|
| 14(4A), 2nd sentence . . . . .                      | 14(4B)        |
| 35(2), 2nd sentence . . . . .                       | 35(2A)        |
| 36(1), 2nd sentence . . . . .                       | 36(1AA)       |
| 36(1), 2nd sentence, (i) . . . . .                  | 36(1AA)(a)    |
| 36(1), 2nd sentence, (ii) . . . . .                 | 36(1AA)(b)    |
| 36(1), 2nd sentence, (iii) . . . . .                | 36(1AA)(c)    |
| 36(1), 2nd sentence, (iii) 1st unnum para . . . . . | 36(1AA)(d)    |
| 36(1), 2nd sentence, (iii) 2nd unnum para . . . . . | 36(1AA)(e)    |
| 36(1), 2nd sentence, (iii) 3rd unnum para . . . . . | 36(1AA)(f)    |
| 36(1), 2nd sentence, (iii) 4th unnum para . . . . . | 36(1AA)(g)    |
| 36(1), 2nd sentence, (iii) 5th unnum para . . . . . | 36(1AA)(h)    |
| 36(1), 2nd sentence, (iv) . . . . .                 | 36(1AA)(i)    |
| 36(1), 2nd sentence, (v) . . . . .                  | 36(1AA)(j)    |
| 36(1), 2nd sentence, (vi) . . . . .                 | 36(1AA)(k)    |
| 36(1), 2nd sentence, (vii) . . . . .                | 36(1AA)(l)    |
| 36(1), 2nd sentence, (viii) . . . . .               | 36(1AA)(m)    |
| 36(1), 2nd sentence, (ix) . . . . .                 | 36(1AA)(n)    |
| 36(1), 2nd sentence, (x) . . . . .                  | 36(1AA)(o)    |
| 36(1), 2nd sentence, (xi) . . . . .                 | 36(1AA)(p)    |
| 36(1), 2nd sentence, (xii) . . . . .                | 36(1AA)(q)    |
| 36(1), 2nd sentence, (xiii) . . . . .               | 36(1AA)(r)    |
| 36(1), 2nd sentence, (xiiia) . . . . .              | 36(1AA)(s)    |
| 36(1), 2nd sentence, (xiiib) . . . . .              | 36(1AA)(t)    |
| 36(1), 2nd sentence, (xiv) . . . . .                | 36(1AA)(u)    |
| 36(1), 2nd sentence, (xv) . . . . .                 | 36(1AA)(v)    |
| 36(1), 2nd sentence, (xvi) . . . . .                | 36(1AA)(w)    |
| 36(1), 2nd sentence, (xvii) . . . . .               | 36(1AA)(x)    |
| 36(1), 2nd sentence, (xviii) . . . . .              | 36(1AA)(y)    |
| 36(1), 2nd sentence, (xix) . . . . .                | 36(1AA)(z)    |

|  |             |
|--|-------------|
| 36(1), 2nd sentence, (xx) . . . . .    | 36(1AA)(za) |
| 36(1), 2nd sentence, (xxii) . . . . .  | 36(1AA)(zb) |
| 36(1), 2nd sentence, (xxiia) . . . . . | 36(1AA)(zc) |
| 36(1), 2nd sentence, (xxiii) . . . . . | 36(1AA)(zd) |
| 36(1), 3rd sentence . . . . .          | 36(1AB)     |
| 36(1A), 2nd sentence . . . . .         | 36(1B)      |
| 36(1A), 3rd sentence . . . . .         | 36(1C)      |