

# University Legislation Amendment Act 2017

Explanatory notes for SL 2018 No. 59

made under the

*University Legislation Amendment Act 2017*

## General Outline

### Short title

*University Legislation Amendment Act 2017*

### Authorising law

Section 2 of the *University Legislation Amendment Act 2017*.

### Policy objectives and the reasons for them

The policy objective of the Proclamation is to commence chapter 3 and schedule 1, part 2 of the *University Legislation Amendment Act 2017* (the Act). The remaining provisions of the Act commenced on assent.

The seven Queensland public universities are established under their own Acts, collectively referred to as the university Acts:

- Central Queensland University (CQU) - *Central Queensland University Act 1998* (CQU Act);
- Griffith University (GU) - *Griffith University Act 1998* (GU Act);
- James Cook University (JCU) - *James Cook University Act 1997* (JCU Act);
- Queensland University of Technology (QUT) - *Queensland University of Technology Act 1998* (QUT Act);
- University of Queensland (UQ) - *University of Queensland Act 1998* (UQ Act);
- University of Southern Queensland (USQ) - *University of Southern Queensland Act 1998* (USQ Act); and
- University of the Sunshine Coast (USC) - *University of the Sunshine Coast Act 1998* (USC Act).

The Act made amendments to the university Acts to:

- remove the capacity for universities to make statutes;
- require universities to have a policy for the election of staff and student representatives on university governing bodies;
- remove certain limitations on the delegation of powers and functions by university governing bodies;
- improve the integrity of the membership of university governing bodies;
- implement governance reforms for JCU; and
- make technical amendments relevant to some universities.

Section 2 of the Act provides that chapter 3 and schedule 1, part 2 of the Act are to commence on proclamation.

Chapter 3 of the Act contains amendments to the CQU Act, the GU Act, the QUT Act, the UQ Act, the USQ Act and the USC Act to: remove the capacity for universities to make statutes; and require universities to have a policy for the election of staff and student representatives on university governing bodies. The same amendments were made to the JCU Act but these commenced on assent.

Following consultation with the universities, it is proposed that:

- the amendments to the CQU Act, the GU Act, the UQ Act and the USC Act will commence on 1 June 2018;
- the amendments to the QUT Act will commence on 1 July 2018; and
- the amendments to the USQ Act will commence on 1 August 2018.

## **Achievement of policy objectives**

The policy objective is achieved by fixing a commencement date of:

- 1 June 2018 for amendments to the CQU Act, the GU Act, the UQ Act, and the USC Act contained in chapter 3, parts 1, 2, 4 and 6, and schedule 1, part 2 of the Act;
- 1 July 2018 for amendments to the QUT Act contained in chapter 3, part 3 and schedule 1, part 2 of the Act; and
- 1 August 2018 for amendments to the USQ Act contained in chapter 3, part 5 and schedule 1, part 2 of the Act.

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the objectives of the *University Legislation Amendment Act 2017*.

## **Inconsistency with policy objectives of other legislation**

The Proclamation is consistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The commencement of the Act will not result in any additional costs to Government.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles.

## **Consultation**

Consultation about the proposed proclamation date occurred with the CQU, GU, QUT, UQ, USQ, and USC.

There was support for a 1 June 2018 commencement date from the CQU, GU, UQ, and USC.

QUT requested a commencement date of 1 July 2018 to allow the QUT Council to make the required elections policy. USQ requested a commencement date of 1 August 2018 so that the election process for members of the Academic Board may be concluded under the current statute prior to its repeal on commencement of the amendments to the USQ Act.